

Copyright  
by  
Megan Dodd Little  
2013

**The Dissertation Committee for Megan Dodd Little Certifies that this is the  
approved version of the following dissertation:**

**Role-Play Work and Contested Authority in Policy and Legal Writing:  
A Case Study of Domestic Partner Benefit Advocacy**

**Committee:**

---

Clay Spinuzzi, Co-Supervisor

---

Davida Charney, Co-Supervisor

---

Linda Ferreira-Buckley

---

Lisa L. Moore

---

Ellen Barton

**Role-Play Work and Contested Authority in Policy and Legal Writing:  
A Case Study of Domestic Partner Benefit Advocacy**

**by**

**Megan Dodd Little, B.A.**

**Dissertation**

Presented to the Faculty of the Graduate School of  
The University of Texas at Austin  
in Partial Fulfillment  
of the Requirements  
for the Degree of

**Doctor of Philosophy**

**The University of Texas at Austin  
December 2013**

## **Dedication**

I dedicate this dissertation to the original members of the Domestic Partner Benefit (DPB) working group of the Pride and Equity Faculty Staff Association (PEFSA). Thank you for letting me learn from your inspiring work.

## **Acknowledgements**

I would like to thank my Supervisors, Clay Spinuzzi and Davida Charney, for their conscientious mentoring and insightful feedback on this project.

# **Role-Play Work and Contested Authority in Policy and Legal Writing: A Case Study of Domestic Partner Benefit Advocacy**

Megan Dodd Little, Ph.D.

The University of Texas at Austin, 2013

Supervisors: Clay Spinuzzi and Davida Charney

Rhetoricians have long been interested in public policy discourse. However, studies have yet to apply the micro-lens of writing process to this context. One consequence is that, while studies of policy discourse point to the complexity of this area, they do not investigate the writing behaviors this complexity inspires. Secondly, while studies of writing process in other areas of rhetoric allow us to theorize process, our theories are typically based on more structured writing environments—such as the classroom, academic discipline, and professional workplace. As a consequence, we know less about invention and other writing processes in more unpredictable, explicitly contested settings.

To address these gaps, this dissertation presents a process-based case study of collaborative writing within the context of policy and legal discourse. The case study tracks the year-long work of a group of advocates who attempted to establish Domestic Partner Benefits (DPB) at a large public university. Due to legal restrictions, the writers could not assume a clear authority as they attempted to write a policy proposal together. In meetings in which they invented ideas, a prominent behavior emerged in their talk, what this dissertation refers to as *role-play work*. Role-play work is a theory of rhetorical

invention in which writers propose roles for themselves and their audiences, develop arguments from within those roles, and try to identify how they might be recognized or misrecognized as a consequence of assuming roles.

Tracing patterns in the writers' talk, this dissertation describes role-play work at three critical junctures: in the early stages, when the group lacks legal resources, during a tumultuous hunger strike in which the institution delivers its interpretation of the law, and during the group's later writing process, when the group has a working understanding of a legal argument they can propose. This dissertation analyzes how writers use role-play to engage authoritative discourse that manifests at each stage: first, to imaginatively co-construct what might be authoritative, next, to confront authority-as-articulated, and finally, to understand the nuance of a potentially authoritative argument. Findings presented in this dissertation may be relevant to scholarship in professional and technical communication, collaborative writing and invention, writing process research, policy discourse, discourse analysis, and queer studies.

## Table of Contents

List of Tables.....	xi
List of Figures .....	xii
Introduction.....	1
Authority and the “A-ha” Moment in Early Invention .....	5
The Case of DPB: Available Roles Within Legal and Political Arguments	11
Legal Arguments .....	12
Identity Political Arguments .....	18
Recognition, Rhetorical Invention, and Role-Play Work .....	23
Chapter Overview .....	28
Methodology .....	32
A Linguistic Method for Tracing Role-Play Work.....	32
Data Collection .....	36
Identification of Participants.....	36
Period of Data Collection .....	39
Methods and Volume of Data Collection.....	40
Data Analysis and Interpretation .....	41
Early Analysis: Narrowing Down the Corpus .....	41
Later Analysis and Interpretation: Connecting Discourse to Context.	42
Limitations of this Methodology.....	45
Finding “Where the Report Has Power”; Role-Play Work and Imagined Authority in Collaborative Planning.....	46
Writing in The Context of DPB: Roles and Ambivalence .....	49
Dialogic Emergence of the Authoritative Voice .....	54
Imagined Authoritative Discourse and the Emergence of Mediating Documents and Rhetorical Roles: A Simple Example .....	57
Imagined Authoritative Discourse and the Emergence of Mediating Documents and Rhetorical Roles: A Complex Example.....	60
1. The Skeptic.....	61



2. The Lawyer .....	63
3. The Business Case .....	65
Conflicting Approaches to Imagining Authority .....	66
Finding a Parallel Involvement .....	70
Conclusion.....	74
Talking Back to the Law: Role-Play Work and Active Reception in a Case of Institutional Change .....	77
Active Reception of Authoritative Discourse.....	80
Schemes between the Linear and Pictorial.....	82
Tracing a Linear Scheme from its Source: Institutional Responses to the Hunger Strike.....	86
The Internal Legal Memo .....	88
The Propagation of the Linear Scheme: In Discrimination Suit Letters and Public Statements .....	89
Talking Back Scheme 1: Interjecting Agency.....	92
Limitations with the Agency Scheme .....	95
Talking Back Scheme 2: The Legal Counter-Argument.....	99
Interjecting a More Complex Textual Agency .....	102
A Conflict of Laws, a Hybrid Authority.....	102
A Problem, Solution, Question, and Statement.....	104
Talking Back Scheme 3: “Living that Conflict” .....	107
“Listening to the Institution” .....	110
The Stance of Insistent Partnership.....	111
Conclusion.....	114
“Can I Just Play Out Loud with My Words?”; Role-Play Work and the Nuance of Authority .....	118
Theoretical Frameworks for Analyzing Less Invested Role-play Work ...	126
Role-Play Test 1: Appropriating Value-Based Arguments.....	130
Role-Play Test 2: Framing a Novel Legal Argument .....	140
Role-Play Test 3: Evaluating Proposal Recommendations.....	150
Conclusion.....	157

Role-Play Work and Modes of Conflict across a Feminist Collaborative Writing Process.....	161
Researching Talk in Writing .....	164
A Method to Analyze Talk from a Functional Perspective.....	167
Categorizing Episodes of Hypothetical Speech Based on Writing Process .....	169
Categorizing Episodes of Hypothetical Speech Based on Mode of Audience Address.....	173
Findings as Questions for Deeper Investigation.....	176
Results by Quarter .....	177
Discussion .....	181
An Ubiquitous Tool: Direct-to-Audience, One-Way Dialogue.....	181
Culminations, Corrections, and Refinements Across Quarters .....	186
Stable-for-Now Authority and the Disappearing Audience .....	189
An Emerging Literacy: Audience Invoked, Audience Disappeared .	193
Conclusion.....	194
Conclusion .....	197
The Problem of Evaluating Rhetorical Effectiveness in Policy Discourse	201
The Advantages and Disadvantages of <i>Invention as Delivery</i> in Policy Discourse .....	203
More on <i>Delivery Literacy</i> in Policy Discourse .....	207
Reconfiguring Authority-as-Articulated .....	209
Register Work and Authority .....	211
Role-Play Work and the Available Means of Recognition.....	213
Imagined Consequences and Goals of Recognition.....	213
Investment versus Authenticity.....	217
Informed Ambivalence in Cases of Contested Authority.....	220
References .....	222

## **List of Tables**

Table 1. Study Participants .....	38
Table 2. Role-Play Work and Personal Investment in Early and Later Writing Stages .....	125
Table 3. Coding Examples for Writing Activity .....	172
Table 4. Coding Examples for Mode of Audience Engagement.....	174
Table 5. Frequency of Writing Activity by Mode of Audience Engagement.....	177
Table 6. Culminations, Corrections, and Refinements by Quarter .....	187

## **List of Figures**

Figure 1. Writing Activity by Quarter (by Percentage) .....	179
Figure 2. Audience Engagement by Quarter (by Percentage).....	181

## Introduction

The group sits around an oval table that is a bit too big for the small conference room they meet in, debating the ultimate purpose of a report they are writing together. They are preparing a detailed policy proposal that domestic partner benefits (DPB) be established at a large public university. This policy change would extend health insurance to the partners and families of Lesbian, Gay, Bisexual, and Transgendered (LGBT) employees. The writers are faculty and staff who didn't all know each other well before forming a committee. It's Fall of 2007, and they reside in a politically conservative state where a recently passed constitutional amendment and several other laws restrict the recognition of same sex partnerships.

Today they discuss which insurance policy model to propose. As much as they would like to, they can't flatly ask for benefits for the partners of LGBT employees. This looks too much like recognition based on relationship status, which looks too similar to recognizing a marriage. Another option is the more open "same and opposite" model, which extends benefits to all *unmarried* domestic partners (straight or gay). This model might protect the group more because the issue would not be "just" gay marriage. This is important because, as one writer says, "we're evil in the legislature."

Another group member thinks they should open up the policy model even further to "other qualified adult" or "adult plus one," which enables employees to offer benefits to a recipient they designate from a list of qualified recipients. The group agrees that this plan acknowledges the reality of today's families, since people are often responsible for an aging parent or older child. This model would also allow the group to make a powerful argument, which one writer illustrates by staging a dialogue with audiences: "We're not that different from you because the problems we encounter everyday aren't all that dissimilar to yours."

But other writers have reservations about the two broader models. Straight couples have the ability to get married and simply don't experience the same inequality. Plus, people might balk at too open, too inclusive a policy. One writer rehearses the possible questions from skeptical policy-makers: "If it's adult plus one, why not adult plus two? If it's my partner or my grandmother, why not my cousin or my neighbor? What about fraud?"

When grassroots groups work to change public policy, they confront the fundamental challenge of participating in authoritative discourse from the outside in. Citizens without legal training attempt the technical work of legal interpretation to challenge existing laws or influence the creation of new ones. “Non-technical” citizens leverage technical reports and data to generate “objective” evidence to fuel their arguments. And commonly, groups do these things with little formal training or support, while working on the fringes of the institutions they seek to change.

Scholars in various areas of rhetoric, but particularly in the subfield of professional, scientific, and technical communication, have shown great interest in how citizens engage technical and otherwise authoritative discourse within public policy. Studies have commonly focused on genre, such as technical reports (Rude 1990 and 1995; Orbell 1995; Sutcliffe 1998; Cook 2000; Brockman 2002); forums soliciting public commentary (Simmons 2007 and Walsh 2009); environmental impact statements (Killingsworth and Palmer 1992 and 2012); and regulatory documents within disciplines (McCarthy 1991), to name a few. Drawing upon the work of political theorists like Jurgen Habermas and Iris Marion Young, some studies have questioned whether policy genres enable true democratic access and participation, with one recurring observation being that policy genres can effect the *appearance* of democracy, when participation is actually “instrumental” and everyday citizens are incapable of real influence (see especially Killingsworth and Palmer 1992; Sutcliffe 1993; Orbell 1995; Cook 2000; and Simmons 2007). Even when the usefulness and legitimacy of a given policy genre are not suspect, other studies document how conflicts emerge due to the inevitable complexity of policy discourse, where there can be competing stakeholders, complex bureaucratic and institutional contexts, and incremental, multi-agential evolution of events over time. For instance, Walsh (2009) documents how conflicting stakeholders tend to engage in “belief

combat” (p. 145), which seems to thwart a policy genre designed to increase shared investment in an issue. Other studies examine episodes of miscommunication that occur when different actors attempt to collaborate despite fundamental incompatibilities between their perceptions, goals, and/or disciplinary literacies (Windsor 1990, Herndl 1991, Grabill 2000; Sheridan-Rabideau 2009).

While these studies apply a broad mix of methodologies (mainly rhetorical and genre-based analysis of texts and ethnographic observation of environments), researchers have been less prone to apply the analytical lens of *writing process* to this area. The consequence is that while we understand these contexts to be complex, we know less about *what writers do*, from a micro perspective, while working in the midst of this complexity. Looking more closely at writing process, we would be able to explain with more precision where the appearance of conflict emerges, whether that conflict is inherent or inevitable, or even, if it’s useful or productive to try to suppress it. Certainly, the process of constructing an authoritative policy argument is different from learning to gain expertise in more disciplined spaces—such as, the classroom, academic discipline, and professional workplace. For instance, research in composition has long examined the fairly structured interactions between student and teacher in the static context of a writing assignment. Research in writing in the disciplines investigates well-defined genres in different academic areas, detecting the customary moves academics use to mark themselves as insiders. Researchers in professional and technical communication analyze how scientists, engineers, and other technical professionals learn to execute the fairly standardized moves of their discourse, where the assumption is (perhaps to a lesser degree than in the other areas), writers enjoy incremental increases in expertise and authority through mentoring, participation, and exposure to professional environments.

A common approach in such studies is to perform longitudinal studies of novice writing behaviors as they change over time and the writer gains greater expertise. For instance, a classic study features Nate, a graduate student struggling to successfully participate in his discipline's discourse conventions (Berkenkotter and Huckin 1988). The study authors track how, over time, he learns to identify increasingly legitimate paper topics and research questions. The process of gradual mentoring reshapes how he approaches the very starting point of his writing process: the proposed idea. Similarly, in another classic study, an undergraduate biology student develops an increasing sense that authoritative scientific texts are rhetorical (Haas 1994). Eliza's gradual entrance into disciplinary expertise hinges on the increasing depth of her participation as a lab technician and research assistant. This participation fosters her eventual awareness of rhetorical practices among "experts" in her discipline. Authoritative texts no longer seem disembodied objects to her, but are the productions of agents, who themselves have goals, purposes, and even, weaknesses and biases. Although the study does not say as much, the implication is that the fuller Eliza's participation, and the longer her exposure, the more prone she is to say to herself, "Hey, I could write this stuff too." Many studies of writing in the workplace take a similar approach and produce similar findings. For example, another study traces how engineers come to a deeper understanding of the rhetorical nature of engineering writing (Winsor 1996). Winsor traces evolving notions of "audience" among novice engineers, which are reinforced by how present or "proximate" their audience is. As the engineers gain more "real" exposure to the audiences they address, they gain a more sophisticated understanding of what they themselves do: that they indeed persuade as they write, rather than just relay facts.

While such studies often reveal conflicts, barriers, and bumps writers confront as they learn to write in mentored contexts, we have yet to apply the same micro-level,



process-based lens to less disciplined, less structured, less predictable contexts, those not necessarily designed to grant incremental increases in authority, such as public policy discourse. We are thus less familiar with what writers do to work within potentially unsympathetic and resistant institutional contexts that may disregard the legitimacy of their arguments. How do writers invent arguments in these contexts, when they may not be able to assume an argument will receive a legitimate hearing? In such settings, what traits mark more “expert” literacy? In addition to answering these questions around writing process, an overtly process-based approach to policy discourse promises to provide new insights to professional and technical communication. For instance, what do policy writers *do* when they confront the inevitable complexity previous case studies have documented? What inventional behaviors emerge when writers worry policy genres structure their interactions with institutions and decision-makers in limiting ways, when participation seems “instrumental”? A process-based study of policy discourse thus allows us to inject more political considerations into our theories of process, as well as reveal unique literacies, tools, and behaviors that emerge in highly political environments.

#### **AUTHORITY AND THE “A-HA” MOMENT IN EARLY INVENTION**

Since citizens’ ability to legitimately engage policy discourse is such a central interest in rhetoric, a good place to start investigating writing process in this context is how writers identify potentially authoritative ideas. Classic studies of early invention in more stable writing contexts suggest that the most fundamental pre-requisite for launching a writing process is that writers can imagine themselves as authoritative—that is, as *authors* with the ability to say something that will get a legitimate hearing. Expert/novice studies focus on the degree and quality of writers’ rhetorical awareness

because we assume the more writers understand texts as rhetorical, and the more exposed they are to audiences, the more likely they feel they can play the same game. In fact, many studies that hone in on the work writers do during early invention and planning often observe a pivotal moment of realization that sparks the inventional process—when writers recognize themselves as authorized co-creators of texts and enjoy some form of a self-realization: “Hey, I can write this stuff too.” The question arises of the nature of this phenomenon in more contested contexts: what extra work might writers need to perform to achieve something like this “a-ha” realization and transform themselves into authors?

The early authorizing moment is perhaps most explicitly identified in Flower’s (1981) talk-aloud protocol of an expert writer’s early invention. In this case, the “a-ha” moment of self-realization is transformative and instantaneous. The writer understands how he (a middle-aged writing teacher) can legitimately engage and even persuade an audience far removed from himself (teenage girls). The writer imagines his audience’s likely assumptions about him—and in doing so, identifies a “wrong” assumption he can engage, challenge, and “correct.” In the collected protocol, his voice swells with authority; he has identified a potentially provocative and compelling idea. This classic study captures the role-play that enables this writer’s “a-ha” moment: he imagines the way his audience perceives him—which he considers a gross misrecognition. He is confident that he can correct this misrecognition, and this confidence is precisely what authorizes him and sparks subsequent invention. Early invention, in this case, is a process of anticipating how one is recognized, then constructing strategies to engage that recognition—in this case, to contradict imagined audience assumptions.

While not referring to Flower’s study directly, Patricia Sullivan (1992) also describes the deep significance of this “a-ha” moment for understanding how writers attempt to construct themselves as authoritative during early invention. She makes this

point by critiquing another classic composition study that observes, but does not closely examine, the authorizing moment: Stephen North's account of a troubled female student (1987). While North observes a transformative moment that sparks and enables subsequent invention, North refers to this moment as akin to "magic." Sullivan challenges that considering the "a-ha" spark as "magic" overlooks early invention as an interaction between audience and speaker, in imagined voices that emerge out of enculturation. Sullivan argues that the emerging feminist work of composition should be to call for more cautious examination of this pivotal moment—to understand it as deeply connected to the social structures of the writing situation and identities of writers and audiences. In other words, Flower's writer enjoys an easy ability to leverage his social location as he constructs roles for himself and his audience, but can all writers perform the same kind of easy role-play to transform themselves into authors? If imagining roles is so pivotal to early invention, what happens when it is not so easy to understand how audiences will likely recognize one's role, especially in contexts that are explicitly contested? And what if the available roles—the roles that promise to be culturally recognizable within a given context—fail to serve writers' goals? As Sullivan explains, the young woman in North's study achieves "authorship" not by confidently re-enforcing a professional role, but by assuming an angry "mask." The role she finally locates comes with potentially negative and limiting consequences because an emotional, angry woman is easily discredited.

Admittedly, Sullivan's critique is derived from a speculative glance at another scholar's passing anecdote. However, this fact was *precisely* her point: that, at the time, writing research needed more investigation of what shapes this early moment of "a-ha" authority in a writing process—the role-play work behind the "magic" of early invention—and especially, how groups engage this work differently. What extra role-play

work must writers perform to envision themselves as authoritative in cases where the roles available to them are overtly limiting, socially and politically, or have negative and potentially unintended consequences embedded within them? Indeed, Sullivan's early critique about the limitations of available roles for women anticipated the later work feminist historians of rhetoric would undertake. Feminist scholars argue for the need to expand rhetorical theory to better appreciate (maybe even identify) the extra rhetorical work women in different historical eras had to perform to render themselves authoritative, or at least, *less suspect*, as speakers (for example, Mattingly 2002a and 2002b, Buchanan 2005). In the introduction to their anthology *Available Means*, Ritchie and Ronald (2001) hint at this extra work for women, whose process began "in a different place than in Aristotle's conception of invention: women must first invent a way to speak in the context of being silenced and rendered invisible as persons" (p. xvii). Similarly, in the introduction to an edited collection *Rhetorical Women: Roles and Representations*, Miller and Bridwell-Bowles (2005) describe their project as not necessarily considering historical *women*, as much as "foregrounding roles and representations at different moments in time" (p. 10). In other words, rather than just calling out individual cases of ingenuity, their historical case studies illustrate how women strategically engaged existing cultural roles and representations in order to authorize themselves as speakers. The authors acknowledge that women may have had little hand in constructing these roles. For this reason, a central project of feminist investigations of rhetoric should be to understand how women leveraged and benefited from roles, but also may have been limited by them or attempted to challenge and expand them.

Parallel studies of gender and writing are found in other subfields of rhetoric, especially in composition and technical writing. However, as Alexander and Wallace (2009) argue, there has not been the same level of activity around queer/LGBT studies. In

an article in which they survey emerging work in this area, Alexander and Wallace point to what they feel might be the most important intersection between queer theory and rhetoric and composition. The authors assert that existing studies that seek to combat homophobia in the classroom are important, especially as they explore the complex implications of dealing with anti-gay student writing and being “out” in the classroom (Khayatt 1998, Talburt 2000, Miller 1994, Elliot 1996). Also important are studies that work to better include LGBT voices and perspectives in the classroom (Berg 1994, Regan 1993, Malinowitz 1995, DeWitt 1997). However, the most substantive contribution queer theory may make to composition and rhetoric may be to encourage students and teachers (and, although they do not say as much, researchers as well) to examine the heteronormative narratives that constitute their own identities—to think critically about how the rhetorical trope of the “homo/hetero” binary informs their thinking (Alexander and Gibson 2004, Cooper 2004, McRuer 2004, Monson and Rhodes 2004). This approach encourages students and teachers to develop “literacy practices” that challenge normativity:

...to consider how our curricula can and should be challenged not only by “alternative” and “nonnormative” identities for which we need to make room, but to think critically about powerful theoretical models that challenge how we know the stories we live by—and how we know our students and each other. (p. 314).

Adopting this perspective, Jan Cooper (2004) argues that queer theory provides “metaphors for expressions of identity—performance, fluidity—that help us attend to the complex experiences of students interacting with each other within and across cultures” (p. 36). Furthermore, such an approach can encourage students to balance “real” and “stable” concepts of their identity with other “performative” understandings of roles they assume as they write (Kopelson 2002).

Theorists in this area suggest we should destabilize the notion that writers possess concrete, static “identities” within which they invent ideas (a call that resonates with the old debate between *expressivists* and *social constructivists* in composition theory). Rather than engaging this already well-traversed terrain at the theoretical level or arguing that one theory of identity is better suited for analyzing writing process than another, this dissertation examines role-play in action: by observing roles writers project as they invent and test out ideas. Examining conversations across the stages of a collaborative writing process, this dissertation will demonstrate how writers sometimes invent roles that indeed feel “authentic” or “stable,” others more “fluid,” strategic, and tentative, and some even compulsory and constraining. When writers engage in *role-play work*, they invent multiple versions of themselves and audiences—even conflicting, contradictory versions, and even selves they feel more or less aligned with. We can examine the degree of identification writers experience with roles as they invent—which ones seem “authentic” expressions of identity, which ones feel explicitly strategic, and which ones feel like compromises somewhere in-between.

We can examine how writers engage in role-play not only to experiment with affinities they feel for certain roles, but also to anticipate how roles might be recognized or misrecognized by audiences—and whether available forms of recognition serve their goals or not. In this way, we can do more than just monitor writers’ experiences and attitudes; we can also trace how envioning constraints explicitly shape available roles (for instance, how legal limitations or policy genres shape roles available to writers). We can also observe the kinds of extra work writers must engage in when they work in rhetorical contexts that deny a single, stable, coherently recognizable cultural role—when writers must devise ways to innovate, combine, temper, resist, or combine the available roles. We can also trace change in role-play work over time and compare the work of

technical experts and insiders with novices and outsiders to understand how role-play work fosters (or fails to foster) writers' increases in authority. Finally, while evidence of role-play work certainly emerges in other environments our field examines (as studies cited above can attest), this dissertation posits that this lens is well-suited for analyzing writing process within highly contested environments and highly structured institutional settings, where certain actors' roles are often dictated by context, and where those trying to engage authoritative discourse from the outside must try to understand and anticipate institutional roles.

#### **THE CASE OF DPB: AVAILABLE ROLES WITHIN LEGAL AND POLITICAL ARGUMENTS**

This dissertation presents a case study of a policy issue that required writers to be extremely cognizant of how environing legal, institutional, and political structures shaped the roles available to them. The six main actors in this story were employees of a large public university and the founding members of the Domestic Partner Benefits (DPB) working group. The DPB working group was a subcommittee of the Pride and Equity Faculty and Staff Association (PEFSA), which was formed as a special interest group working to address issues relevant to Lesbian, Gay, Bisexual, and Transgendered (LGBT) employees at the institution. The DPB working group began actively meeting in August 2007 with the specific task of writing a policy proposal asking the institution to extend its current health insurance policy to cover same sex partners of LGBT employees. The group was active for several years, first writing their proposal, then presenting it to administrators, then lobbying the state legislature, then organizing two state-wide conferences with other state institutions that similarly could not provide DPB. The small group of writers eventually partnered with state and national LGBT lobbies and received support and advice from influential administrative, legal, and legislative allies.

The movement gradually ballooned into a statewide effort, and in fact, the DPB proposal would be distributed not just to administrators in their own institution, but to legal lobbies and state activist groups, to members of the state legislature, and to other emerging DPB activists across the state, for whom the report served as a model. However, in the early days of their work, the period covered by this dissertation (roughly August 2007 to June 2008), the six DPB writers worked alone in small conference rooms, usually during their lunch breaks, with little help or input from legal authorities, doing what they considered the rather dry work of drafting a policy proposal. They parsed through stacks of legal and policy paperwork, trying to understand the technical arguments they contained. They spent hours debating the benefits and disadvantages of different policy models. For instance, the vignette that opens this dissertation illustrates how the group tried to anticipate how different models for offering insurance benefits positioned the group as speaking as or on behalf of a certain group—either just on behalf of the “queers,” or for both queers and straights, or for queers and straights and the uninsured and grandmothers and elderly parents, and so on. Each different policy model suggested a role the group could assume, and embedded within each role were potentially positive and negative consequences.

### ***Legal Arguments***

Understanding the advantages and disadvantages of the different insurance models—and the rhetorical stance each model enabled—required some understanding of the technical context of the law. The group members were all public employees in a state with several laws in place that prevented formal recognition of their lesbian partnerships. One legal roadblock (of many) was the state constitutional amendment recently passed by voters, which stated, “This state or a political subdivision of this state may not create or



recognize any legal status identical *or* similar to marriage” (Texas Const., 1, § 32). The challenge lies at the end of the clause in the vague terminology of a “similar” status recognition, which may or may not be interpreted by courts as applying to insurance benefits. The contended legal issue, central to DPB, was: Does offering certain entitlements constitute a full “status” recognition, “similar to marriage,” even if those entitlements are far more limited than full status recognition? Or is “full” status recognition something larger and more substantial?

The group worked on their report in the moment before an official answer to this question. In fact, following the wave of Defense of Marriage Acts (DOMAs) and constitutional amendments that swept across the nation in the mid-2000s, many states were in the midst of interpreting the language of their recently enacted constitutional amendments with public institutions awaiting the outcome. (The state the DPB writers worked within had also passed a DOMA in 2003 (Texas SB 6 (78R))). This presented a moment of opportunity for peripheral institutions to try to shape the legal interpretation of the term “recognition” by forwarding their own policy models. Yet, even before the wave of DOMAs in the mid-2000s, the ability of public institutions to offer DPB was a controversial question. Numerous court cases examined whether public institutions were capable of offering same sex partner benefits, usually following the traditional rubric of legal *formal equality*. The legal rulings that affirmed the practice tended to argue that gays and lesbians constitute a class of employees being discriminated against, and thus, public institutions were required to honor the equal protection clauses in their state constitutions, formally treating protected classes the same as other classes. The often-cited precedent is *Tanner v. Oregon* (1996), in which a public institution sought to defend its policy of not offering partner benefits. The defense argued that because the institution did not cover the partners of unmarried straight employees no discrimination based on

sexuality was occurring. The court ruled against this argument, stating that this reasoning “missed the point,” since only gay and lesbian couples could never marry. The specificity of LGBT identity-based discrimination was key to this ruling, as the court dismissed the defense’s classification of “marital status” as over-inclusive (that is, as purporting to apply to a group of similarly situated individuals when there were actually substantial differences among the individuals within the impacted class). Similar rulings followed in Montana in (*Snetsinger v. State of Montana*, 2004) and Wisconsin (*Helgeland v. Board of Regents, University of Wisconsin*, 2005).

After the national emergence of state DOMAs and constitutional amendments around the middle of the decade, the legal debate increasingly became less about equal treatment of similarly situated classes and more about contending and emergent definitions of what constitutes “recognition.” In other words, rather than being litigated within the rubric of formal equality and what institutions may not do (unlawful disparate treatment of similarly situated classes), the question became more and more about the positive authority of institutions to construct certain kinds of status in light of state laws that prohibited the construction of other kinds of status. Michigan became the first court case of DPB litigated within the emerging vocabulary of “recognition” in the post-DOMA era in the case *National Pride at Work v. Granholm* (2004). In this case, public institutions in the state that offered same sex partner benefits came under fire after the passage of the state DOMA, which included a clause prohibiting status recognition “similar” to marriage. Initially upholding the practice, the court ruled that insurance benefits were not a benefit of “marriage,” but a benefit of “employment,” and thus, no unlawful recognition “similar” to marital recognition was occurring. The legal method of evaluating the nature of “recognition” was to identify the primary warrant for why status is being conferred: is a person primarily entitled to benefits because a person is married

or because the person is employed? However, this decision was overturned in *National Pride at Work v. Governor of State* (2008), when the Supreme Court adopted a more all-encompassing definition of the act of recognition, the “plain meaning” retrieved from the *Random House Dictionary*: to acknowledge “the existence, truth, or validity” of a thing. As the Justices write in the opinion, “when a public employer attaches a legal consequence to a relationship, that employer is clearly ‘recognizing’ that relationship” (p. 21).

Michigan was thus the first “test case” of the authority of public institutions to offer DPB despite the presence of DOMA or other statutes limiting the “recognition” of anything “similar” to marriage. In this legal ruling, which establishes that public institutions do not have this authority, a broad definition of “recognition” overrides a more nuanced one: any “attachment” of any “consequence” constitutes an act of recognition because it acknowledges the basic “existence” of a thing. This definition rejects the reasoning of several *amici curiae* briefs filed in this case, all of which attempted to persuade the court to adopt a more nuanced definition of recognition. One brief (AAUP, *National Pride at Work v. Governor of State*, 2007) asserts that employers do not have the authority to confer legal status of marriage to couples, and so, offering benefits is not “similar” to marital recognition. In this definition, recognition should be qualified based on the limited or expansive power of the institution, and thus, the scope of the “status” being conferred. Marital recognition, as a greater status recognition, is clearly meant to be pervasive. It is powerful precisely because it extends to other contexts, beyond the walls of a given institution. Another brief (Michigan Professors of Law, *National Pride at Work v. Governor of State*, 2007) argues that insurance is just one benefit of thousands associated with marriage, and so, DPB are not “similar” to marriage.

This definition argues against the metonymic, part-to-whole interpretation of recognition, the very one the Michigan Supreme Court ultimately adopted.

While the question of public institutions' authority to offer DPB receives less attention than legal developments connected to marriage equality, each new case produces new fundamental ground rules for what constitutes legal "recognition." In terms of legal theory, the new arguments around recognition shift the frame of interpretation from "formal equality" to the newer frame of "substantive equality." Legal scholars Katharine T. Bartlett and Deborah L. Rhode explain the difference between these legal theories in terms of sex equality:

Theories of formal sex equality refer to the form of a rule and require that the rule treat women and men on the same terms....formal equality works best in situations when men and women are enough alike that the rule operates equally well for both. It has been questioned as an approach, however, when men and women are different in some significant respect....Theories of substantive equality take account of these differences, and attempt to achieve equality of results or effects. (p. 31)

In the case of DPB, when policies attempt to construct a more particularized, nuanced definition of recognition, they set aside for the moment the argument of "sameness" that establishes partnered gays and lesbians in a similar class as straight, married people. This very argument of "similarity" was, after all, prohibited by the language of DOMAs. Instead, substantive equality focuses on the practical outcomes of recognition—the different reality of who gets benefits—so that institutions can proactively craft policies that take into account those differences. Substantive equality enables institutions to act to address existing difference, whereas formal equality prevents institutions from not treating classes the same. Bartlett and Rhode explain that, while substantive equality has widely informed legal cases dealing with race, such as affirmative action, as a newer

legal theory, it has been less prevalent and successful in establishing reparations for gender-related discrimination, or in this case, discrimination that is sexuality based.

Given this legal context, the DPB working group members in this story were facing a substantial challenge as they were writing their policy proposal together. They were attempting to locate some grounds to argue for policy change in the midst of nationally shifting terrain and inchoate legal definitions. However, this moment also provided them the opportunity to attempt to persuade a peripheral institution to proactively offer its own definition of “recognition” and extend its offerings to address inequity in its policies. In this sense, the writers’ specific rhetorical task was to try to persuade their institution to be “the next Michigan”—that is, the next test case that establishes a new policy model in a state where no formal legal interpretation of the term “recognition” yet existed. Such a policy model would have to somehow look “dissimilar” from recognition based on marital status, perhaps by demonstrating the practical differences in the outcomes, results, and effects of *limited* forms of recognition. The DPB working group was thus implicitly asking the institution to perceive its role as a policy-making entity, rather than a conservative policy-enforcing entity. In such a case, an institution that is not motivated to “be the next test case” can easily refuse to act by claiming its role is restricted to policy enforcement.

Preliminary indications, along with the institution’s history of inaction on the issue, made the DPB writers dubious top administrators would be willing to be the next national “test case.” For instance, in one meeting in which the DPB group met with administrators to informally discuss the legal situation, the institution’s lawyers informed them that, despite everyone’s good wishes, they were unable to confer marital status. A quick-witted advocate for the group responded, “But, no one can walk into a [doctor’s] office with an insurance card and say, ‘I’m married!’” This performance of what *cannot*

*be said* mocks the kind of overarching definition of “recognition” that was established in the Michigan precedent. In fact, this short exchange captures the gist of the debate over recognition in the case of DPB: should the legal definition of the term “recognition” be based in the practical outcomes of what people are authorized to do (or more precisely, the status they can claim for themselves) within a specific institutional context?

The legal context thus shapes the roles available to the DPB working group in complex ways. While they certainly would like to argue vehemently and passionately about the legitimacy of their partnerships, they cannot rely on legal arguments grounded in the equal treatment of these relationships—they cannot construct themselves as a “similarly situated” class to demonstrate disparate treatment. While the writers certainly were proponents of gay marriage (and several of the writers were married in other states where gay marriage was legal), they had to strategize arguments that carefully dissociated what they were asking for from marriage. Constructing roles for themselves as authoritative writers who understood the legal constraints they were working within meant dissociating themselves from roles they felt most compelling and from warrants for formal equality that felt most familiar. As the narrative of this dissertation will highlight in detail, in addition to the role-play work they must perform to construct authoritative roles for themselves, the writers must work just as hard to anticipate and construct their *audiences’* roles—that is, to persuade the institution to conceive of itself as capable of policy creation without express permission from the state legislature.

### ***Identity Political Arguments***

Just as emerging legal events are defining the term “recognition” in the case of DPB, scholars in political theory are also working to redefine how we understand the term. Political theorists investigate the term “recognition” by tracing warrants that are

available to groups as they register complaints over mistreatment. One of the most common themes in this area of scholarship is the conflict between warrants grounded in the *universal* versus the *particular*. For instance, in an early articulation of this area of scholarship, commonly referred to as “the politics of recognition,” Charles Taylor writes about the conflict between universal and particular in political argument:

...the principle of equal respect requires that we treat people in a difference-blind fashion. The fundamental intuition that humans command this respect focuses on what is the same in all....[But], we [also] have to recognize and even foster particularity. The reproach the first makes to the second is just that it violates the principle of nondiscrimination. The reproach the second makes to the first is that it negates identifying by forcing people into a homogenous mold that is untrue to them. (p. 43)

Paralleling the discussion of legal theory above, this line of inquiry asks: Should a warrant for recognition be grounded in the *similarity* between classes (as in the case of formal legal equality), or in the *particularity*, the different reality of people’s lives (as in the case of substantive equality)? Political theorists are interested in the way grounding claims for recognition solely within one appeal tends to have negative consequences, as in Taylor’s argument about the appeal to the universal undermining difference and particularity. What’s at stake, Taylor continues, is the very integrity of the self; if identity is partially shaped through the experience of being recognized (at both the macro socio-political and micro interpersonal levels), then constraints around how one is recognized can result in compromised versions of the self.

While not as concerned about this question of “authenticity,” Nancy Fraser extends Taylor’s argument about the potential limitations of arguments for recognition by focusing on what she describes as the “unintended consequences” of partial or imperfect recognition (2003 and 2007). For Fraser, unintended consequences always ensue when equity in cultural recognition is not matched with equity in economic distribution. For

example, when women's unpaid domestic labor is redressed through economic assistance, women are exposed to being culturally stigmatized as "welfare mothers." Money must be matched with respect, respect with money. Otherwise, unintended consequences frustrate attempts to achieve social equity. Fraser is less interested in questions around the impact of misrecognition on identity, and more interested in how warrants for recognition inadvertently expose groups to critique. For Fraser, the relevant project is to identify modes of recognition that may somehow transcend unintended consequences.

While neither Taylor nor Fraser explicitly phrases their concerns in terms of rhetorical *roles*, they both describe the limitation of anchoring warrants for recognition within just one role. An appeal to universal humanity is limiting because it causes the particular to be unrecognized for Taylor. An appeal to economic equity without a concomitant appeal to cultural recognition results in inevitable misrecognition for Fraser. This area of scholarship includes far more frameworks and debates about the process and implications of recognition. Rather than delving deeply into this area, however, this introduction only samples these debates to start building a vocabulary scholars can use to investigate the intersections between cultural roles, recognition, and rhetoric.

For instance, what are perceived as the available arguments for recognition certainly influences the DPB writers' invention process in the vignette that opens this dissertation. The crux of the DPB group's early brainstorming is to identify the limitations and opportunities of available policy models (LGBT-only benefits, both same- and opposite-sex benefits, "adult plus one"). A role that argues for LGBT-only benefits, with its focus on difference, exposes the group to attack—as they are "evil" in the legislature. However, on the opposite end of the spectrum, the most open policy model, "adult plus one," also comes with unintended consequences. The recognition would be based on appeals to the "universal," as the group would be arguing on behalf of gays and



straights and grandmothers and the non-traditional family. When this is their role, some of the writers feel they inadvertently de-legitimatize arguments of the particular (their sexuality-based discrimination). In fact, as the group explores what each policy model allows them to “say,” they identify both material and rhetorical limitations. In terms of material limitations, a policy constructed on “universal” appeals does not designate gradations in the priority or legitimacy of need among different classes of individuals, while there is certainly a limitation of resources (in this case, the institution’s budget). Similarly, the appeal to the universal also does not acknowledge the limitations in the group’s rhetorical resources—in this case, the particular authority they can construct from within an identity group. As later chapters will explain (particularly chapter 4), the group is encouraged by administrative insiders to frame their authority around their role as an advisory group of gay and lesbian employees.

As they attempt to locate some grounds for authority, the group parses through roles in hopes of finding one that might avoid both misrecognition and unintended consequences. The crux of this basic observation and the precise point this dissertation will explore at length is how this process inevitably requires a balancing act of sorts—a negotiation of available roles. For instance, the DPB group’s particular expertise around their identity grants them enough authority to “advise” the institution about the experiences and needs of the LGBT community. However, they are also encouraged to distance their arguments as much as possible from equity, similar status, and LGBT marriage equality. They thus must have tentative and carefully defined associations with the identity-based role. The role that is enabled by the “adult plus one” policy model also comes with an inherent conflict, which the group exposes through role-play work. They are forwarding “class-less appeals” based on universal need, speaking on behalf of a group far larger than themselves. However, this universal group may not be amenable to

having their perspectives embodied by the LGBT community. Even as they represent this universal voice, they must do so from within an “advisory” role clearly located within a fixed LGBT identity group. The project of this dissertation is to hone in on the precise role-play work required by such a rhetorical situation—where “authority” cannot be constructed from within any one stable and coherently recognizable role. This dissertation seeks to understand the additional inventional work required to craft authoritative arguments in such a case.

Similarly, also in the vignette that starts this chapter, the group weighs the pros and cons of political arguments grounded in the warrants of “sameness” versus “difference.” One writer invokes an imagined dialogue with a potentially skeptical audience to illustrate what a more inclusive policy enables the group to say (namely, that as LGBT people who also need benefits, “We aren’t all that different from you, because our problems aren’t all that dissimilar to yours”). However, after considering this possible dialogue, others remark that the argument of “sameness” erases the real differences in the lives and situations of LGBT people—the real inequality that they cannot marry. This reality feels more “authentic” to the group, and the group’s dialogues reflect a sense of justice around class identity and a strong affinity and desire for the familiar logic of formal equality. As in the case of *Tanner versus Oregon*, the specificity of LGBT identity-based discrimination justifies arguments for equal treatment. Formal legal equality functions by establishing *similarity* between two classes, precisely so the crucial element of difference can be exposed: a class must be constructed as “similarly situated” to another class in order for a court to argue that “disparate treatment” is occurring. As is mentioned above, it is not surprising that the role this policy model enables feels more authentic to the group since “equal treatment” is a concept so well established in legal

and popular discourse. However, even as group members express affinities with this role, they engage in additional role-play work that tempers their reliance upon it.

In the one episode of collaborative invention captured in the opening vignette, “extra” role-play work is needed to identify unintended consequences within roles, to construct hybridizations between roles, and to explore affinities for roles that feel more “authentic” than others. Viewed in this light, the group’s role-play work does not bounce contending policy models back and forth, tit-for-tat; neither do roles emerge in an unstructured manner with the group randomly considering alternatives. Instead, there is a precision to the group’s deliberation that is governed by the legal and identity political structures within their rhetorical situation. For Nancy Fraser, the need for this extra role-play work would likely be explained as the result of a case of recognition that is inherently limited and imperfect (the group seeks economic justice without cultural recognition of LGBT equality). However, from a *writing process* perspective, such role-play may enable the writers to construct the best authority possible in a context that denies them an easy or clear authority. From a *policy writing* perspective, such role-play work may represent a necessary kind of literacy.

#### **RECOGNITION, RHETORICAL INVENTION, AND ROLE-PLAY WORK**

Clearly, examining rhetorical invention as a kind of role-play work presupposes writers are imagining some form of audience *recognition* for each role they construct. In this way, the concepts of role-play work and recognition are intertwined when writers project roles for themselves and their audiences and imagine how those roles will be perceived and received. Politics of recognition theory indeed offers some useful frameworks to parse how that imagination works: for instance, how perceived roles are embedded within identity political warrants (sameness, difference, universal, particular),

how *authentic* certain roles feel to writers, where that desire for authenticity must be resisted or tempered due to unintended consequences and conflicts embedded within roles, where writers construct compromises that straddle roles or maintain tentative associations with them, and more. In fact, this practical observation parallels a critique political and critical theorists tend to level at some of the assumptions within politics of recognition theory. One strong critique is largely inspired by feminist and queer theorists of identity, who, similar to the queer composition theorists described above, consider the concept of “authenticity” hopelessly naïve, and resist the notion of a coherent, stable “self” that can be predictably recognized. For instance, Taylor’s early articulation of the “politics of recognition” has come under direct criticism from Judith Butler, who challenges Taylor’s notion that we can somehow locate an “authentic” self through better and more accurate dialogues of recognition (1999). Cressida Heyes (2005) offers a succinct take on what tends to be resisted in recognition theory, as a question of whether

...a broadly “queer” (i.e., deconstructive, poststructural, historically embedded) sexual self can coherently demand to be recognized, or whether the tension between the account of identity inherited by a politics of recognition and antiessentialist impulses in feminist philosophy of sexuality is irresolvable. (p. 54)

One way to summarize this critique is that the flat choice between “authentic” versus “inauthentic,” and between “recognized” versus “misrecognized,” is not sufficiently nuanced to accommodate an increasingly complex notion of the self. While these concepts are most commonly analyzed at the highly abstract and theoretical level, the implications seem quite practical in the context of the opening vignette, in which the writers project myriad roles for themselves—some of which feel more and less authentic. In practice, it seems implausible that writers in complex rhetorical situations can settle upon one coherent, uniform role that promises perfect recognition.

While critical of the theoretical grounding of politics of recognition theory, critical theorists such as Cressida Heyes are reluctant to throw out the category altogether, since it has such useful grounding in legal discourse—the back-end technology that drives public policy. Recognition theory can be useful to trace how discursive constraints (originating in legal and public discourse) tend to shape warrants groups can rely on as they argue for policy change. Heyes considers the possibility that a “queer politics of recognition” could conceivably exist—that is, a theory of recognition that does not require “authenticity” and perfect recognition, but still retains the useful focus on how available roles are partially shaped by political and legal structures. However, according to Heyes “we just don’t yet know what it would look like” (p. 66). While Heyes is reluctant to offer the solution, she does speculate where scholars might look to offer alternative accounts of recognition: at the process of recognition as a sustained negotiation and dialogue, rather than a one-time, closed event (p. 63-4). While Heyes acknowledges that we do not yet know what a “queer politics of recognition” would look like, scholars can trace recognition as a complex “narrative process,” one that works at both the “micro and macro” levels in an “intersubjective” process (p. 64). Heyes’ vision can translate into concrete research questions to guide scholars interested in identity and rhetorical invention, such as: how do various scenarios of recognition emerge in writers’ rhetorical imaginations as they attempt to locate viable roles and invent arguments from within those roles? How well do the available roles represent the writers? How “authentic” do they feel? What compromises are necessary between what feels “authentic” and a strategy that promises to work? What unintended consequences are inevitably embedded in available roles? What patterns and behaviors emerge as writers evaluate, manage, and leverage the available roles in their writing process?

Clearly, a queer critique of recognition theory calls for scholars to de-emphasize (at least for now) the ideal of locating a set of warrants for recognition that can somehow avoid inauthenticity on the one hand and unintended consequences on the other. To better understand recognition, we should design projects that investigate the ongoing process of recognition as always incomplete, always imperfect. In this sense, narrowing the identity-political scope of the term “recognition,” somewhat ironically, renders it a more actionable concept for scholars who seek to understand the process of recognition by mapping macro political structures down to the micro level. In the context of rhetorical scholarship, we can trace something as mundane as how writers feel about the arguments and rhetorical roles available to them (roles which are directly shaped by external legal and political structures). Examining writing process, we can investigate why writers decide certain roles feel more or less “authentic,” which roles they feel will increase their authority within institutional contexts, and where there are conflicts or discrepancies between what is perceived as “authentic” versus “authoritative.” We can also examine the unintended consequences writers identify within available roles and how writers work to mitigate or respond to those potential consequences. In this way, recognition theory offers a useful framework and vocabulary for tracing how contextual factors (be they legal, political, or institutional) shape how writers evaluate the roles available to them and thus how “micro” writing behaviors are inspired by these “macro” social structures.

Furthermore, this call to revise “recognition” to be more partial, context-specific, and dialogic parallels the revision the term is receiving within legal scholarship and case precedents around DPB. One legal argument departs from the standard questions of how class membership and disparate treatment warrants *full, status-based* recognition and toward questions around what specific entitlements acts of *partial* recognition bestow. As noted above, one of the activists in this story points to this other definition of recognition,

one that focuses specifically on what individuals are entitled to say within a given context when he quips “Someone cannot walk into a doctor’s office with an insurance card, and say, ‘I’m married!’” Legal counter-arguments define the term “recognition” in broader terms, where the act of providing lesser entitlements equates to overarching status recognition. Somewhat ironically, in the case of DPB, the more narrowly defined the concept of “recognition,” the more legally powerful it becomes for activist groups and peripheral institutions seeking to forward experimental policy models. This case study thus examines an important space in policy discourse, where policy-making occurs not through formalized procedure, legal ruling, or public interface—but in quiet, informal persuasion that aims to influence how peripheral institutions and actors interpret laws and conceive of their own roles.

By tracing the DPB working group’s writing process, we can examine how these writers identify and negotiate the constraints of available roles in this area of policy-making and how some form of imagined recognition plays into the “authorizing moment,” or “a-ha” realization as they invent ideas and arguments. Furthermore, we can compare the role-play work writers engage in when they feel more and less authorized. For instance, when feeling highly authorized, do writers imagine stable roles and anticipate predictable recognition from audiences or feel confident they can easily correct imagined misrecognition, as in the case of Flower’s expert writer? When feeling less authorized, what additional role-play work do writers perform in hopes of constructing a more stable scenario of recognition? The term “role-play work” applies to all strategic incarnations of it, as roles may be invoked earnestly, playfully, tentatively, even ironically. All forms of role-play work help writers to decide whether a given role feels more or less “authentic,” identify the negative consequences and disadvantages of a role, and even, when necessary, arrive at compromises that never feel “perfect,” but may be

the most authoritative option available. Finally, we can compare role-play work with the actual texts writers produce and evaluate its usefulness as an invention device. How well do different forms of this work serve writers' goals?

## CHAPTER OVERVIEW

To examine the function of role-play work in rhetorical invention in the case of DPB, the remaining chapters of this dissertation trace this behavior across the roughly one-year period during which the DPB writers drafted their proposal (9 months of active meetings, with a 3 month hiatus the group took over summer break). Much of the group's invention and planning was performed through informal conversations in regular group meetings. This dissertation examines role-play work by analyzing the conversational work the writers do in meetings as they produce successive drafts of the document.

First, chapter 2 describes the dominant linguistic behavior—hypothetical speech—that is used to trace role-play work in this case study. This chapter also explains the methodological approach used to collect instances of hypothetical speech and systematically analyze them.

The first narrative chapter, chapter 3, "*Finding 'Where the Report Has Power'; Role-Play Work and Imagined Authority in Collaborative Planning*," tells the story of the early stages of the group's writing when the group grappled with a dearth of resources to help them produce a legal argument. This chapter describes how the group initially experienced conflict and uncertainty about the basic purpose of their report. Lacking resources, the group invokes role-play work to imagine what might be authoritative to audiences. As they do so, group members construct discrete, initially incompatible roles, in which the writers seem deeply invested. This chapter seeks to understand why the writers devise the roles they do, and why they find their own proposed roles so



compelling. Specifically, how does the experience of doubt, ambivalence, and identity-political affinities, so embedded in the context of DPB, influence the formation of roles in early invention and planning? Once roles are forged in such a case, how do they impact early collaborative dynamics?

Chapter 4, “*Talking Back to the Law; Role-Play Work and Active Reception in the Case of Institutional Change*,” describes events that transpire when an activist working outside the group goes on a public hunger strike, which forces the institution to formally articulate its legal case against DPB. This chapter starts with the institution’s written interpretation of the law and demonstrates how this written document projects legal authority through a basic, but powerful written construction of a role. This chapter demonstrates how, taking their cues from the original constructed role, institutional agents construct roles in line with the original, while other actors create roles that resist or challenge the authority of the original role. Tracing the original construction of the legal role across written and spoken genres, this chapter explores several questions. First, how does the authoritative legal role, originating in written legal interpretation, transform into other less formal genres and into talk, directly shaping the roles actors assume? Then, how effective are the counter-roles actors devise, in effect “talking back” to the original role and to authoritative discourse? While the DPB group’s writing process takes a backstage during these events, the group keenly observed events and received direct counsel on what role they should construct to “talk back to the law.” What they learn deeply influences the next stage of their writing.

Two direct results of the hunger strike were that (1) the DPB group achieved access to legal resources to help them produce an argument that promised to be authoritative, and (2) the group was encouraged by experts to assume a very complex rhetorical role. Chapter 5, “‘*Can I Play Out Loud with My Words?*’: Role-Play Work and

*the Nuance of Authority*,” examines role-play work in the group’s later writing process, as they work to translate legal and other arguments into their own group register. Notably, role-play work that occurred at this stage differs from the group’s earlier work. Rather than functioning as the vehicle to express each writer’s discrete, invested role, the group’s role-play work functions like an intermediary register, shifting arguments between talk and text and between non-serious and serious discourse as the writers project less invested roles. Examining the dynamics of less invested role-play work, this chapter traces the group’s process across three main writing tasks: appropriating institutional value statements, summarizing a legal argument, and writing formal proposal recommendations. By analyzing role-play work in these writing tasks, this chapter answers the following questions: In what ways is later role-play work fundamentally different when the writers have a better understanding of the most authoritative strategy, compared with the work the writers performed in the early stages when they lacked this understanding? And, what role-play work is required to construct practical arguments from within a nuanced, hybridized role?

Chapter 6, “*Role-Play Work and Modes of Conflict across a Feminist Collaborative Writing Process*,” provides a holistic overview of trends across the narrative chapters. In particular, this chapter more deeply investigates the relationship between conflict and role-play work by coding all instances of role-play work into two-dimensions: writing activity and mode of audience address. Findings are presented across four quarters so we can observe trends over the full course of the group’s work, noting patterns that emerge at each stage of work. As a systematic and holistic overview of the process, this chapter is meant to complement the narrative approach of the other chapters while answering the following questions: How does conflict get managed in role-play work? What kinds of conflict emerge at different stages in the writers’ process as they

gradually gain more authority? In this case, what patterns of conflict emerged when the writers' collaborative writing process was most productive?

Finally, chapter 7 concludes this project by providing a brief epilogue of events and raising the issue of the difficulty of evaluating rhetorical efficacy in cases of policy discourse. To evaluate the group's process, comment on findings, and suggest areas for future research, this chapter reviews the various rhetorical tools and literacies that emerged in the writers' role-play work. Finally, this chapter expands on the concept of analyzing rhetorical invention through the theoretical lens of recognition, particularly in the cases of policy writing and writing in other contested contexts.

To jump to the end of the story before it even begins, the group never convinces the institution to act on their behalf. While the committee's work sought to change a discriminatory policy, at the time of the writing of this dissertation, they have not yet accomplished this goal. This dissertation does not tell the story of "successful" policy change through innovative role-play work. This dissertation describes how, initially lacking substantial financial, legal, and administrative resources, a grassroots group exploits the linguistic and inventive resources they do have—to come together, to disagree, to find a workable consensus, to "listen" to authority and forge their own, and ultimately, to pool their talent, imagination, and experiences to re-envision what is possible.

## **Methodology**

This chapter describes the methods used to collect, analyze, and interpret data related to role-play work across one year of the DPB working group's collaborative writing process. First, this chapter describes the specific linguistic behavior that was used to trace role-play work. Then, this chapter attempts to justify why this linguistic behavior is a legitimate lens for interpreting role-play work, and especially, for interpreting how role-play allows groups to engage authoritative discourse. Next, this chapter describes the qualitative research methods that were used to gather, analyze, and interpret instances of this linguistic behavior: for collection, methods of participant observation, recording of conversations, and interviewing were used; for analysis and interpretation: combined methods of grounded theory, inductive discourse analysis, and ethnographic triangulation were used.

### **A LINGUISTIC METHOD FOR TRACING ROLE-PLAY WORK**

While there are certainly several approaches that could be used to analyze role-play work, this dissertation focuses on a specific linguistic behavior that emerged in the DPB working group's conversations again and again. Their role-play work was commonly performative: they not just imagined roles and the arguments they could make, but performed roles in staged conversations with invoked audiences. When one group member would enter the performative mode, others would typically join her, often performing audience responses to envision counter-arguments and potential unintended consequences. This particular behavior is illustrated in the vignette that opens the introduction chapter, when one group member explores an appeal to sameness, using the first-person plural "we" of the LBGT community to address the second person "you" of an imagined audience: "We're not that different from you because the problems we

encounter everyday aren't all that dissimilar to yours." Responding to this staged conversation, others in the group consider how the imagined audience might respond. The appeal toward sameness has unintended consequences when it erases differences among qualified beneficiaries, and a writer stages what an authority might say: ("What about covering some guy on the street? What about fraud?")

In her often-cited work, *Talking Voices*, Deborah Tannen (2002) refers to performed conversation as "constructed dialogues," whereby speakers insert dialogue into everyday talk for emphasis and effect. Tannen demonstrates how speakers invoke reported speech for a variety of reasons: to put special emphasis on what was *not* said, to instantiate or re-iterate what was said repeatedly, to summarize the essence or gist of what was said, to characterize what is generally said by people (what she calls a "choral dialogue"), to dramatize one's "inner speech," and more (p. 112-117). Tannen prefers the term "constructed dialogue" over "reported speech," as she argues that any speech that is "reported" is actually the invention of the speaker. In other words, the speaker's aim is not to simply relay information (which, in fact, may or may not match the original information), but to achieve the speaker's own communicative goal (p. 101).

Reported speech has received plenty of attention from scholars in various disciplines who apply different approaches to studying and interpreting it. Some analyze reported speech from a structural perspective by mapping linguistic variations in written texts (for example, Semino, Short, and Culpepper 1997; Semino, Short, and Wynne 1999); others catalog its operations in spoken reported speech (especially Tannen 2002 and Clark and Gerrig 1990). Another set of studies focuses more on context by highlighting how the various kinds of reported speech are somehow illustrative of a context, such as the negotiation of authority in the classroom (Bayhnam 1996), interpersonal dynamics in small focus groups (Myers 1996), the establishment of authority in

public government meetings (Alvarez-Caccamo 1996), the construction of “out groups” in young people’s conversations about race (Buttny 1997), what happens in couple’s therapy (Buttny 1998), and how authority gets constructed in other cultures (Besnier 1992).

A handful of scholars in the field of rhetoric and composition have used reported speech as a lens to better understand the production of written texts, usually in cases where there is some disparity of authority between writers. In probably the most thorough study, Berkenkotter (2001) examines how a patient’s use of reported speech is transformed into a clinical psychological diagnosis by a psychotherapist. Prior (1995) observes (but does not thoroughly explore) how a student writer uses reported speech to negotiate the power dynamics between herself and her teacher as she produces drafts of a text. And Leander and Prior (2004) mention (but do not apply) reported speech as a potentially useful tool for tracing the relationship between talk and text in “situated practices” of writing. While scholars of rhetoric sense there’s something illustrative about the role of reported speech in writing, especially when writers negotiate questions of authority, we have yet to track its role systematically, or consider how it functions as a collaborative writing tool.

According to scholars like Tannen who create taxonomies of reported speech, reported speech is the broad category, under which there are many varieties. The particular kind of reported speech evidenced in the vignette that opens this dissertation is called “hypothetical speech” by linguists, in which speakers stage possible, likely, or *future* talk. Linguists have already delineated some of the characteristics of this particular variety of reported speech. Greg Myers (1996) argues that hypothetical speech is particularly useful for “dramatiz[ing] tensions,” which “may be why [episodes of hypothetical speech] so often involve voices of institutional authority...the apparently

direct speech transforms the highly mediated and diffuse relations to authority into an ordinary encounter with individuals” (p. 389). Myers and others also suggest that hypothetical speech functions through a kind of “detachment” (Holt 1996 and 2000; Clark and Gerrig 1990), as speakers often present hypothetical scenarios to contrast their intended point from the reported scenario, or to offer up a possible idea to provoke a reaction while not being overly committed to the idea itself. Offering a slightly different take, Tannen asserts that the underlying purpose for all types of reported speech is to inspire *involvement* in a community of listeners and speakers: “By giving voice to characters, dialogue makes story into drama and listeners into an interpreting audience to the drama. This active participation in sense-making contributes to the creation of *involvement*” (p. 132, *emphasis added*).

While the observation that hypothetical speech can result in both “detachment” and “involvement” seems at first contradictory, the opening vignette suggests that these two traits actually complement each other when this linguistic behavior is employed for role-play work. When a writer stages what *could be said* to an imagined audience, the dual dynamics of performative *involvement* and *detachment* foster scenarios of tentative, staged recognition; writers test out possible versions of themselves and audiences and a possible transformation into the author role. As writers perform what could be said to authorities, they personify the argument, embodying the model of recognition they are proposing, and experience, at least during the act of performing the argument, the identity-political affiliations they may have with a particular role. Yet, a degree of detachment allows writers to stage scenarios as mere possibilities, to “throw them on the table” for consideration, if only for the sake of starting the conversation, or for the sake of inviting others to identify counter-arguments and unintended consequences.

In this sense, while performed *involvement* creates personal identification with a proposed scenario of recognition, *detachment* tempers this identification with an element of play. Writers can report hypothetical messages while intoning them with a variety of meanings—distance, irony, earnestness, anger, etc. This phenomenon of layering voices on top of reported messages is described as the “texture-analyzing modification” of reported speech by V.N. Volosinov’s pioneering work (often attributed to M.M. Bakhtin); reported messages are able to “accommodate shadings of the speaker’s attitude” (pp. 130-131). In this way, hypothetical speech, as an inventive tool, provides a potent mechanism for tentative attempts at the “a-ha” moment: writers can “dramatize tensions” and encourage responses in ways that explore embedded conflicts and potential unintended consequences; writers can do so in a flexible, tentative space, where they can be either very identified with or very detached from the proposed role they are performing; and writers can overlay a spectrum of “texture” modifications on top of the reported message, thus interjecting their own intonations on top of a proposed scenario of recognition. The remainder of this chapter explains how I identified this linguistic behavior as a useful lens for interpreting role-play work and the methods I used to analyze it.

## **DATA COLLECTION**

### **Identification of Participants**

I worked with student activists in the University of Texas at Austin’s Queer Student Alliance (QSA) over Spring and Summer of 2006. Specifically, I helped them produce a climate survey and report documenting the experiences of LGBT students on campus. After the Domestic Partner Benefits (DPB) subcommittee of the Pride and Equity Faculty Staff Association (PEFSA) formed in Fall 2007, one of the members (who



had seen the report and was aware of my role) contacted me and asked if I would be willing to help them design another climate survey. At the time, I was actively working to locate a policy change or grassroots organization that would permit me to analyze their collaborative writing process. After the first meeting with the DPB working group, I met with the founding leader of the group and proposed that I help design and interpret the findings of their climate survey and format their report (but not contribute to the writing of it), in exchange for being permitted to attend meetings and study their writing process. The leader consented, but asked that she retain the ability to make certain conversations or events “off the record.” (When this was the case, the group would either ask me to stop recording, or more commonly, say “off the record” while allowing the recording to continue.) I acquired Institutional Review Board (IRB) approval for the study and received informed consent from the (then) six members of the committee.

During the period of data collection, additional people became involved in events (particularly as a result of the hunger strike described in chapter 4). These individuals include the faculty member who went on hunger strike, the Director of Institutional Equity and Diversity, the Vice President of Human Resources, the Director of Equality Texas, and a few others. Informed consent was received from all of these participants. Over the course of data collection, all participants were interviewed (some multiple times). Table 1. lists all participants in the study during the period of time covered by this dissertation.

<b>Title or Abbreviated Name</b>	<b>Pertinent Background Information</b>	<b>Primary Role in the Narrative</b>
Ly	Director of Career Services at the institution, 15 years at the institution, late-40s, female	Initial Chair of the DPB Committee; one of the writers referred to as “the business case” in chapter 3.
Ka	Graduate Career Adviser for the MBA program at the institution, six years at the institution, mid-30s, background practicing trademark and copyright law, female	Member of the DPB committee; referred to as “the lawyer” in chapter 3.
Li	Professor, 15 years at the institution, mid-40s, female	Member of the DPB committee; referred to as the “skeptic” in chapter 3.
Ix	Director of the Gender and Sexuality Center , six years at the institution, late-30s, female	Member of the DPB committee
Sa	Psychological counselor; four years at the institution, early 40s,	Member of the DPB committee
Ga	Undergraduate career counselor, four years at the institution, mid-40s	Member of the DPB committee
Me	Graduate student and researcher of this study, three years at the university, mid-30s	My primary role during group meetings was to take meeting notes. While I tried to follow the practice of not participating in group discussions, my voice is periodically included in conversations captured in this study.
The Hunger Striker	Visiting Lecturer, less than one year at the institution, late-30s, male	Not affiliated with the DPB committee; acting as an independent activist, filed discrimination complaints and went on hunger strike.

Table 1. Study Participants

<b>Title or Abbreviated Name</b>	<b>Pertinent Background Information</b>	<b>Primary Role in the Narrative</b>
Vice President of Human Resources (VP of HR)	Vice President of Human Resources, five years at the current institution, had worked successfully at other institutions to offer DPB, trained as a lawyer but had not actively practiced law for several years, late-40s, male	Administrative advisor to the DPB committee
Vice President of the Division of Diversity and Community Engagement (VP of DDCE)	Vice President of the Division of Diversity and Community Engagement, new leader of a new division, trained as a lawyer but had not actively practiced law for several years, mid-40s, male	Administrative contact for the DPB committee; active contact during the hunger strike events in chapter 4.
Director of Institutional Equity and Diversity	Director of Institutional Equity and Diversity, administrator in charge of evaluating discrimination complaints, early-50s, female	Administrative contact to the DPB committee; active contact during the hunger strike events in chapter 4.
The Political Director	The Political Director at Equality Texas, lobbyist and advocate with 17 years of experience with administrative law, mid-40s, male	After the events of the hunger strike, he is the main source of legal arguments for the group.

Table 1. Study Participants Continued

### **Period of Data Collection**

The period of data collection is between when the group began meeting and working on their report in September of 2007, to the presentation of the report to administrators in May of 2008. (Data was collected continuing through the next year as the group organized a rally on campus, lobbied the legislature, and organized a state-wide conference; however, these events are not included in this study.)

## **Methods and Volume of Data Collection**

Data was collected using interview and participant observation methods. In total, approximately 44 hours of meetings and 20 hours of interviews were audio-recorded. (The process used to transcribe data is discussed in the Early Analysis section below.) Nine successive drafts of the report were collected, along with roughly 400 pages of additional written artifacts. To collect this data, the researcher:

- Attended and audio-recorded all group meetings (which occurred roughly every two or three weeks, and lasted between one to two hours)
- Conducted semi-structured interviews with the DPB writers (usually 30 minutes to one hour in length). For the DPB writers, two main waves of interviews were performed—one at the beginning of the writing process and one in the middle of the writing process. All writers were interviewed.
- Conducted semi-structured interviews with other study participants. During and after the hunger strike, the following individuals were interviewed:
  - The Hunger Striker
  - Vice President of Human Resources
  - Vice President of the Division of Diversity and Community Engagement
  - Director of Institutional Equity and Diversity
- Conducted two semi-structured interviews with the Political Director of Equality Texas.
- Collected successive drafts of the report. (In fact, after the initial draft of the report was produced, I was in charge of inserting revisions and new content into the soft copy of the evolving document.)

- Collected other pertinent written artifacts (such as internal legal memos and other administrative communications, a white paper produced by a legal advocate for the group, and media articles covering the hunger strike and the group's work).
- Attended all pertinent meetings with administrative insiders. I was not given permission to audio-record these meetings. I took detailed notes during these meetings.

## **DATA ANALYSIS AND INTERPRETATION**

### **Early Analysis: Narrowing Down the Corpus**

Initially, all interviews were transcribed along with all writing-related conversations that occurred in group meetings (the group covered many topics not directly related to their work to produce the report). Following a grounded theory approach, tentative coding categories were identified at an early stage of data collection. Coding initially focused on tracking categories of argumentation related to politics of recognition theory (i.e., sameness versus difference). However, when I began transcribing and applying my initial coding scheme to meetings, the prominence and variety of staged dialogues quickly convinced me of their pivotal role in the group's writing process. I switched my analysis methodology to identifying, transcribing, and coding all instances of reported speech across all audio-recorded meetings and interviews. Only episodes that included some form of reported speech (from meetings and interviews) were transcribed. Then, within these transcribed instances, hypothetical speech was identified as more prominent than other modes of reported speech (which were all coded as simply "reported speech"). Thus, the primary corpus for analysis was narrowed down a second time to instances of hypothetical speech in meetings and interviews. This final corpus contained approximately 9300 words of transcription (with 155 episodes being

transcribed and episodes having an average of 60 words). Based on this new focus, a new set of analytical codes was derived: one set of codes dealing with mode of audience address (which was generated inductively) and another set of codes based on pre-defined writing process categories. These codes are discussed in more detail in the analysis in chapter 6.

### **Later Analysis and Interpretation: Connecting Discourse to Context**

The method of analysis quickly evolved into something similar to what Ellen Barton (2002) refers to as “inductive discourse analysis,” where researchers identify “rich features” of texts that can be used to interpret the relevance of discursive patterns within a context. In fact, Barton argues that inductive discourse analysis, as a methodology, allows researchers to attempt to strike a balance between (what she sees as) too exclusive a focus on *context* versus too exclusive a focus on isolated features of *discourse*. She asserts that discourse “sometimes gets lost in the contextual fascination of detailed case studies or larger ethnographic investigations; with their lengthy descriptions of meaning in context, these studies often concentrate more on the roles of texts in general than the details of texts in particular” (20). This contention parallels the argument made in the introduction of this dissertation regarding a limitation with genre-based approaches to studying public policy discourse—namely, that researchers have been less prone to focus on lower-level patterns in writing process.

However, the goal of inductive discourse analysis is not to disregard context altogether. In fact, to qualify as a rich feature, a linguistic trait must demonstrate a meaningful connection between discourse and context. According to Barton, to qualify as a rich feature, an observed feature (or in this dissertation’s case, a behavior), must have two characteristics. One is “linguistic integrity,” which for Barton, means it can be

“defined, categorized, coded, and counted.” It wasn’t until after coding episodes of hypothetical speech (which I initially called “chat”) that I learned that this linguistic behavior has indeed already been defined and analyzed by other researchers. The second criterion rich features must demonstrate is “contextual value,” meaning they can be used to interpret and understand contextual events. Furthermore, to deepen an interpretation of this “contextual value,” researchers should also attempt to identify “patterns,” that is, repeating configurations or applications of features, which further illustrate (or confirm) connections between feature and context. In this way, hypothetical speech is argued to be a “rich feature” of talk in policy settings, and we can use it to trace “patterns” in the group’s writing process. These patterns, furthermore, allow us to interpret the group’s process as they work to understand the possibilities and limitations of available rhetorical roles.

While Barton does not explicitly describe how inductive discourse analysis should be applied across a longitudinal case study, this dissertation used two approaches. First, to interpret patterns in the group’s writing process over time, the quantitative overview in chapter 6 splits the writing process into four quarters. The method was to simply divide the meetings into four roughly equal parts (with each quarter containing five group meetings). While this approach allows certain trends to be exposed, a rough chronological organization is not precise enough to reflect the impact of relevant events that transpired as the group worked together—events that greatly informed their knowledge of the legal case, their ability to anticipate audience responses, and thus, their process. For the purposes of tracking other relevant patterns that are more connected to contextual events, episodes of hypothetical speech were also grouped into stages that correspond with the group’s evolving relationship to authoritative discourse: (1) early writing, when they do not have a legal argument, (2) the period of the hunger strike,

where the institution is forced to clearly articulate its stance and the group receives legal counsel, and (3) later in their writing, when the group enjoys better access to legal and otherwise authoritative discourse and finishes the work of the report. Patterns were then also sought within a narrative treatment of events in each of these three stages considered as separate data sets.

While the chapter that provides a holistic overview of the behavior across the group's writing process (chapter 6) is probably the clearest application of inductive discourse analysis as Barton articulates it, the narrative chapters modify this approach to include triangulation moves using collected drafts of the report and other written artifacts, writers' reflections in interviews, and my observations as a participant-observer. Triangulation between these other forms of collected data and coded episodes of hypothetical speech enables the identification and deeper close reading of patterns in the writers' process. For example, the analysis of the group's early writing process (chapter 3) and the chapter that traces how actors confront the legal argument (chapter 4) both identify a recurring pattern in hypothetical speech (in chapter 3, *delivery as invention*, in chapter 4, *active reception*), and then consider how three or four research participants employ these behaviors. In both chapters, ethnographic data is used to demonstrate how these participants employ this behavior differently because individuals attempt to construct authority differently, given their social location and their particular role in this story. The ethnographic data thus allows a deeper interpretation of patterns identified in coded episodes of hypothetical speech—as we can examine patterns from the perspective of different actors. The chapter that analyzes the writers' later process (chapter 5) focuses more closely on the relationship between the writers' spoken and written work, and identifies another pattern of hypothetical speech (*non-serious dialogue*). Rather than comparing how different writers employ this behavior, this chapter analyzes how the



behavior operates as the writers collaborate on three distinct writing tasks. Again, ethnographically collected data (particularly, collected drafts of the report and my observations of events), allow us to more deeply explain the patterns identified in episodes of hypothetical speech—this time from the perspective of three different writing tasks.

### **Limitations of this Methodology**

While inductive discourse analysis offers a potent approach to identifying patterns of discourse and demonstrating their relevance to context, there are obvious limitations to this methodology, particularly in a study that attempts more ethnographic interpretation. This dissertation attempts to balance the need to present complex contextual factors in enough detail to support the interpretation of patterns of role-play work in a particular social setting (LGBT advocacy), with the need to isolate the behavior and analyze patterns as phenomena potentially relevant to writing process in general. As with the application of any analytical lens, the methodology applied in this dissertation allows us to see only part of the story. Plenty of conversations occurred where group members discussed issues pertinent to themes in this dissertation. However, if there was no hypothetical speech in the episode, it was neither transcribed nor given the same kind of exclusive analysis as instances of dialogue. (Where pertinent, these discussions are sometimes addressed in a high-level summary.) I attempt to acknowledge this limitation by qualifying findings I argue are relevant to rhetorical scholarship.

## **Finding “Where the Report Has Power”; Role-Play Work and Imagined Authority in Collaborative Planning**

It’s another lunchtime meeting and the DPB working group is discussing an early draft of their report. One writer is feeling frustrated today because she worries the group is wasting its time. She explains, “It’s not the case that we don’t have benefits here because the argument hasn’t been made well enough or skillfully enough in the past....I think that people who want to do it can just hold up a stack of 36 sheets and go, ‘We got this report and they should do it.’ People who don’t want to do it aren’t going to read it. They’re just going to say, ‘No. I don’t care about that’.... I think the rhetorical act of, ‘Here’s a report, now do what’s right,’ is what’s going to have the impact, more so than ‘Wow, this is a really great report! They did an excellent job on this!’”

“‘And now I’m convinced’” another adds.

“Yeah,” the first agrees, “‘and now I’m convinced whereas before I wasn’t.’”

Another writer suggests they devise a back-up plan. The group can start by saying, “We’d like to do this the easy way, but here you go [gesturing the handoff of the report].” Administrators could respond, “No, we’re not going to be able to do that.” To which the group can say, “Be expecting lawsuits. Be expecting really pissed off [employees] outside every single building everyday.” The writer pushes back her chair, raising her hand in a half-playful gesture of exasperation: “I mean it’s like, ‘We want to help you guys do this the easy way!’”

The DPB working group had many conversations like this one during the early stages of their writing. The report was the focus of the group’s initial work, and they referred to this early work as the “administrative” or “business” phase of their activism. They considered themselves initially “playing by the rules” and “exhausting their administrative options,” which meant doing lots of research: into the potential advantages for the institution in terms of recruitment and retention, the estimated costs and rates of participation for the proposed insurance plan, the harm to employees due to the current lack of insurance coverage for same sex partners, and most importantly, the novel, even

experimental insurance models that might be construed as legal, given restrictive state laws outlawing recognition of any legal status “similar” to marriage.

As they completed these tasks, the writers questioned the limits of what they could achieve by “playing by the rules.” What were officials likely to think or say in response to their arguments? Would they get a real “hearing”? Were they wasting their time? Would anyone even look at the “stack of 36 sheets?” As they debated the legitimacy and usefulness of their report, they relied heavily on hypothetical speech. For instance, in the vignette that begins this chapter, the writers debate the best approach to deliver the report. A skeptical writer mocks the ineffectual response they could receive (“Wow! This is a really great report. They did an excellent job on this!”) and presents what she thinks is a better delivery strategy (“Here’s a report, now do what’s right!”) In response, another writer proposes a conditional delivery scenario, one that begins with a temperate interaction (“We’d like to do this the easy way, but here you go....”) but quickly escalates into a more aggressive tone, even a threat (“Be expecting lawsuits....”) While this scenario culminates in a statement that is more forceful than anything the group would be likely to say in a “real” exchange, this writer projects a more powerful role for the writers, in which they are not “dupes,” but dominate each conversational turn with authorities.

In the group’s early planning and invention, hypothetical speech was most often invoked to stage scenarios of *imagined delivery*, like this one. (The exact frequency of this behavior across the writing process is discussed in the quantitative overview of chapter 6.) In these scenarios, the report is imagined as an already written object, which they are “handing off” to authorities in a conversational exchange, and the writers imagine the various roles they can assume in this “hand off.” The invention of report content (the arguments it contains) is secondary. The invention of the report-as-object is

primary, as it allows the group to decide the right role for the group in an imagined exchange with authorities.

Scholars of rhetoric have long been interested in the proto-invention that occurs when writers construct conceptual structures to get their process going. For instance, cognitive researchers analyze the tools solitary writers devise as “plans” and “pre-texts” (Flower & Hayes 1981; Flower 1996; Witte 1987). Similarly, Flower et al, (1984), document how individual readers invent tools to assist them in their interpretive work; one tool is the “scenario principle” through which readers transform texts into face-to-face interactions between agents, making texts more “functional.” Some studies of collaborative writing also track tools writers craft and employ during early planning. For instance, Wolfe (2005) depicts gesture working as a kind of pre-text in collaborative writing and planning. And, in one of the rare studies that consider the functional role of talk in early collaborative invention, Lydia Plowman (1995) documents how a small group of collaborators uses talk to construct successive, evolving “mediations” of a document. These “mediations” integrate talk, written text, material tools (such as white boards), and visualizations of the emerging document.

As the introduction to this dissertation argues in more detail, while scholars have long investigated tools writers construct in order to invent ideas—to spark the “a-ha” moment that authorizes subsequent invention—we have yet to explicitly examine tools that emerge in contested environments, that is, when competent writers cannot easily picture themselves as authorities because the writing situation does not grant them a clear or easy authority. For instance, as is illustrated in the vignette that opens this chapter, the group must work to envision a purpose for the report and a role for themselves, even as they acknowledge the possibility that the report itself has little persuasive power and their words will fall on deaf ears. To analyze the role-play work that emerges as these writers

address this challenge, this chapter compares three roles writers construct as they propose versions of the report (or “mediating documents”) in the early stages of writing (the Skeptic, Business Case, and Lawyer). As the narrative will discuss in detail, while the writers initially pictured very different scenarios of delivery (and thus, different roles and mediating documents), the writers rely on a common process to construct roles they find authoritative. Tracing this process, this chapter seeks to answer the following questions: In early invention, how do individuals become convinced that their proposed role and version of authority is the most persuasive, particularly in this case of contested authority? Specifically, what is the mechanism whereby they transform what they imagine to be authoritative to audiences into a role they find personally compelling? And, when different writers’ roles are in conflict, how does a group build enough consensus to continue collaborating?

#### **WRITING IN THE CONTEXT OF DPB: ROLES AND AMBIVALENCE**

An instance of hypothetical speech is captured in another participant-observation study of collaborative writing, although the behavior is not the explicit focus. Geoffrey Cross’s ethnography *Collaboration and Conflict* (1994) recounts how a team co-writing the cover letter for a company’s annual report faces a tricky task and a conflicted rhetorical situation: the cover letter must justify a record surplus to the company’s customers, even though this audience would be suspicious of any overly enthusiastic account of company profit. To try to address this conflict, writers brainstorm words aloud, deriving their solution by addressing an imagined skeptical audience: “We have strengthened the company so we can...be there when you need us” (p. 29). Cross’s writers seek to align contradictory perceptions—to convince the audience that what benefits the company also benefits the customer. Similarly, the DPB writers sometimes

used dialogue to find ways to align themselves with their audience. One of their main arguments, the recruitment and retention argument, what they call the “business piece,” aimed to convince officials that the same diversity that benefits the LGBT community benefits the institution. Clearly, this kind of brainstorming requires a degree of confidence that a group reliably knows what an audience values and that constructed similarities between “us” and “them” will be well received. It is a slightly different pattern to the authorized “a-ha” moment Flowers depicts (1981) (discussed in more detail in the introduction): where an authoritative writer identifies an assumption his audience likely holds—which he feels confident he can easily correct. The DPB working group members did not easily attain this confident ability to imagine themselves either aligning with or correcting the perceptions of their audience. The group assumed some amount of homophobia in the institution, and even when homophobia was not perceived as an issue, a dearth of political will and courage, even among well-meaning allies.

Before considering the nature of the group’s role-play work in detail, it is important to understand why the group felt this way about their audience. Their own experiences as LGBT individuals, and the history of institutional inaction on the issue of DPB, filled the writers with skepticism about their ability to get a legitimate hearing and they often had conflicting senses of what they could expect from their audience. The writers also felt ambivalence about the arguments that seemed available to them. While they sought to be driven by a shared spirit of social justice and a desire for recognition of their same sex relationships, they knew they also had to carefully disassociate their proposal from the full-status recognition of marriage, which has been declared illegal in the state. In group meetings, the writers told jokes and bonded around shared experiences related to their LGBT identities, even as they actively researched new policy models that employed purposefully vague terminology, such as, domestic partner, “adult plus one,”

“other eligible adult,” and “competitive insurance benefits” (CIB). In order to be persuasive to conservative audiences, the group brainstormed arguments that appealed to mainstream family values, even as they tried to keep “a little queer in the room” (as one participant joked in a meeting, “If we don’t keep a little queer in the room, what’s the point?”). And, as the opening vignette demonstrates, the group sought to persuade administrators in temperate discourse, while sustaining an antagonistic voice of activism—after all, they don’t want to feel like “dupes.” In several meetings, the group described a sense of shame, a sense of surprise and even dismay that they were “still here,” without insurance, after “all these years.”

Everyone serving on the DPB committee during the writing of the report had activist experience with LGBT and other issues. The group talked about how writing the report was not “sexy” the way other kinds of activism could be—it wasn’t creative, empowering, performative, or at first, even public. The group also expressed frustration that offers of support from colleagues and administrators were copious and well-intentioned, but all too often empty. They worried that they were given “busy work” when encouraged by the administration to produce the report. They wanted the administration to “pony up” by sharing legal resources so the problem wouldn’t have to be addressed by a “rag-tag” coalition of the “afflicted and affected”—some of whom worked through the night and on weekends to produce the report. The writers sometimes expressed frustration with the extra work they were required to do (as a “gay tax” their straight colleagues did not have to pay).

Yet, mixed with this sense of exasperation was a real sense of the immediacy of the impact of the current policy on their own and their friends’ lives. Several writers had uninsured partners and were themselves living with daily economic and health-related uncertainties. One participant was undergoing collections due to the unpaid medical bills

from her uninsured partner's recent emergency room visits. Another's wife had a recurring condition that threatened her ability to work and thus receive benefits. While her wife was employed and covered during the writing of the report, her health condition flared up several times, making the group member nervous she would have to either return to practicing law (because virtually all private law firms offer DPB) or move back to Massachusetts where she and her partner were legally married. Another group member had coverage for her partner, who was the primary caregiver of the couple's two children; however, she described her coverage as their "lose the house" plan as her partner would not be covered in the case of catastrophic illness or injury.

The topic of institutional homophobia emerged regularly in meetings during the writing of the report—for example, when they expressed frustration with the hesitance of administrators to speak publicly in support of DPB (whereas some administrators would support the group unofficially) and when they considered the influence of the overarching authority in this case—the state legislature—and the university's fear of looking too "pro-gay" in front of this conservative body. In fact, the work of researching and writing required the group to contemplate the institutionalized homophobia they felt they had to be in "denial about" in order to perform their jobs everyday (as one group member phrased it in an interview). Identifying the scope of the arguments they could make, in the midst of perceived institutional homophobia, was a necessary part of the group's invention and strategizing. For example, during a meeting in which the group was designing a climate survey to document the problems caused by the lack of DPB on campus, the group came to debate whether to include a question about employee "productivity."

Ix: I wonder how do you measure that the lack of DPB affects productivity? I get the connection with morale. And I get it with absences, but I don't....



Sa: ‘Cause, I’d have to sit and think, “Do I work not as hard because I don’t have benefits?” And that’s not true.

Ix: Right, “I hate the man. I hate the man.”

Li: I feel that it affects my performance!

Sa: But with morale, I’m like “fuck!” Especially when I leave these meetings I’m like, “I’m going back to a job where they don’t value me [as much as] they do my office neighbor.”

Ka: I always think of my colleague who’s married and expecting a baby, I think, “Is [she] just happier in life than I am, living next door to each other everyday carrying out our tasks?”....But am I less productive than [her] because?

Collaboratively inventing arguments, as well as reading those arguments later, forced group members to actively reflect on their own experiences of discrimination—even use these experiences to inform their decision-making. In fact, several group members recounted how they didn’t think about DPB as a civil rights issue until working on and reading versions of the report. One group member explained in an interview that, at first, she didn’t connect strongly with the issue—it, after all, isn’t about “universal health care” and only targets a small group of people. However, she changed her perspective after reading the testimonies collected for an early draft of the report. As she explained in an interview, “This *is* a civil rights issue, but the thing is, it’s *my* civil right issue. It’s mine to think about, it’s mine to think about me and [my partner], and it’s mine to think about others.”

As the group attempted to make sense of their ambivalence about the cause, they also had to grapple with unfamiliar policy and legal terrain. As is discussed in more detail in the introduction, since the group lacked resources to help them know what might constitute an authoritative interpretation of the law, the writers were initially not even sure what they should ask for. While most states had Defense of Marriage Acts (DOMA) in place, whether or not they extended to health care plans and other employment benefits

was just beginning to be interpreted by courts. Some public institutions in other states had been able to construct quiet “work-arounds” in order to insure their employees. Thus, part of the group’s challenge was to ascertain what administrators perceived as the “official” limits, what might be viable legal counter-arguments against those perceived limits, as well as all the unofficial possibilities and potential creative policy “work-arounds.” The group could not assume their audience was motivated to get “creative” (given years of inaction). Initially, trying to invent authoritative legal and policy arguments felt like “groping around in the dark,” and “chasing your tail.”

#### **DIALOGIC EMERGENCE OF THE AUTHORITATIVE VOICE**

Given the complex and sometimes contradictory ways the writers perceived their work, it’s surprising they are able to derive stable rhetorical roles at all. But they do, as the narrative in this chapter reveals. In a case like this, the question arises: how do writers manage to reconcile such contradictory perceptions into stable rhetorical roles that seem likely to be authoritative to others as well as persuasive to the writers themselves?

One theoretical framework we can apply to explore this question is developed by M.M. Bakhtin (1982). Bakhtin contends that what is authoritative and what is internally persuasive usually exist as two modes, diametrically opposed, only rarely fused in a single word. The proximity between a specific word and authoritative discourse is what determines its meaning in a particular time and place (its *historicity*) (p. 343). While words shift in their proximity to authoritative discourse over time, authoritative discourse, as a theoretical construct, remains fixed: “demand[ing] that we acknowledge it, that we make it our own...quite independently of any power it might have to persuade us internally” (p. 342). It permits “no play with its borders, no gradual and flexible transformations, no spontaneously creative stylizing variants of it” (p. 343). Internally

persuasive discourse is the opposite: not wholly formed and transmitted intact, as authoritative discourse is, but always “half-ours and half-someone else’s” (p. 345); not “calcified” and “inert,” but always engaged in an ongoing process of development and struggle with other internally persuasive discourses. Bakhtin contends that an individual’s “ideological becoming” begins first with “assimilating the words of others,” both authoritative and internally persuasive, and second identifying the “gap” between the two categories of discourse: “the struggle and dialogic interrelationship of these categories of ideological discourse are what usually determine the history of individual ideological consciousness” (p. 342).

In a sense, the work of becoming an author, even if it is the work of constructing a temporary role for the sake of completing a classroom writing assignment, involves some element of this struggle: anticipating the unshakable authoritative “fact” that is external to oneself, and understanding the possibilities or limitations of how to appropriate and/or relate to that fact. However, a third category of discourse also seems to play a role in rhetorical invention, which is not explicitly referenced by Bakhtin: the rhetorical imagination of what is authoritative. In this third category, an individual anticipates (or in this case, sometimes “performs”) the authoritative position, offering a version of authority that is not precisely the actual authority itself, but an individual’s appropriation or performance of it. Once embodied in performance, this imagined authority is no longer “calcified” or “inert.” Another way to put this is: performing versions of imagined authority allow writers to position themselves in the “gap” between internally persuasive and authoritative discourse—a place where they themselves become authoritative.

It is important to note that this application of Bakhtin’s framework likely conflicts with the philosopher’s own intentions. The idea that individuals can derive their own authority by embodying or performing authoritative discourse contradicts the notion that

authority is articulated from above, as a “fixed” entity that remains apart and is transmitted always intact. Paul Prior (1995) makes precisely this point when he attempts to apply Bakhtin’s definitions to contemporary writing and learning. Based on the findings of his case study, he suggests that Bakhtin’s framework may need some tweaking if we are to apply it to postmodern contexts. In particular, he resists Bakhtin’s presentation of authoritative discourse in *The Dialogic Imagination* because it suggests a “distinct binary in a formal taxonomy of language,” rather than a fluid continuum between authoritative and internally persuasive discourses, which would be more in keeping with Bakhtin’s dialogic theory of the word. He reasons that Bakhtin’s definition of authoritative discourse was “skewed toward extreme, distant, and oppressive forms of social authority in his cultural tradition.” In contemporary rhetorical settings, it may be more appropriate to consider authoritative discourse “simply as language that is associated with some form of social authority and is relatively closed, that is, not well understood or integrated with the person’s consciousness” (pp. 297-298).

Another way to phrase Prior’s reservation is this: a strict application of Bakhtin’s framework may not be useful for rhetorical analysis because we are most interested in what writers can *do* within the gap between authoritative and internally persuasive discourse. The idea that they can do nothing is unthinkable to us. In terms of writing process, our interest lies in *the subjective experience of this gap* and how it shapes invention. We are not just interested in the “inherent” operations of authoritative discourse, but also how it appears from the perspectives of observers and users of it. We are interested in how these perceptions shape what we believe to be our capabilities as rhetorical agents.

## **IMAGINED AUTHORITATIVE DISCOURSE AND THE EMERGENCE OF MEDIATING DOCUMENTS AND RHETORICAL ROLES: A SIMPLE EXAMPLE**

This section explains how imagined authoritative discourse functioned in the DPB working group's early planning and invention, particularly when they staged imagined scenarios of delivery to generate roles and mediating documents. Rather than introducing this process by discussing the very complex case of the report, this section begins with a far less complicated writing task for the sake of illustration. As a side project while writing the report, the group planned how to jumpstart a state-wide DPB campaign. As a first step, they imagined a letter that could be sent to high-level administrators at other institutions asking them to express their support of the DPB initiative in writing.

Ly: "Whoever we contact, their job can be to contact their Director....And so, if this person goes to their Director and goes, "Just checking in...kinda want to have one of these [DPB advocacy organizations]," and the person says "Yeah, we should probably have that." And they'd say, "Would you be willing to put that in writing?"....And if they all say, "It's about the law, we don't care," or it's like, "That's never gonna float in San Antonio or wherever..."

Li: It seems like that person...would be able to say, "Yeah, we need this." It seems likely that they would. So maybe they need to be able to say, "Legal issues aside, we need this." Like, "We're not even going there about whether we can or not?"

Ix: Just, "Philosophically, are you in support of this?"

Ly: Yes! "Do you see this impacting your retention and recruitment...?"

Ix: That would be a great letter! That even...maybe they could just say that and not even say if they want it.

Li: Whether they are for it.

Ix: Just, "Is it having an impact on your recruitment and retention?" And that's all they have to answer, "Yes or no." It's almost like they get the survey.

As they collaboratively strategize the letter, the group stages conversations that might occur and by imagining these conversations, identify ways to inspire, intervene in, shape,

and finally document the attitudes of others. The first mediating document that structures the conversation is a wide-open prompt: a request from a lower-level administrator to a higher-level administrator: “put it in writing.” However, the group recognizes a possible roadblock in this scenario (intractable authoritative discourse: “the law”) and proceeds to brainstorm more directed questions to avoid this roadblock. The next mediating document becomes a more focused request for a statement of personal opinion: the imagined written prompt becomes “just philosophically, are you in support...?” In repeated dialogue, the group successively rewords and revises the “statement of opinion,” from an individual’s personal support of the issue, to an individual’s perception of a phenomenon first (“do you see this impacting...?”), to, finally, a more formal, objective statement about the existence of a phenomenon (“is it having an impact...?”). In this way, the mediating document is collaboratively refined into the more objective language of a climate survey.

*Imagined* externally authoritative discourse, in this case, plays an important role in how the group collaboratively refines a mediating document and attempts to structure future conversations. The moment they perceive this ability to structure future conversations, in fact, is the precise moment they envision themselves as authorities (their “a-ha” realization that “that would be a great letter!”). However, the subsequent inventive work this imagined authority inspired differs from other cases in which writers assume they can confidently “correct” assumptions or “align themselves” with authority. Because they identify a possible authoritative, knee-jerk response that threatens to derail their intended conversation (“It’s about the law, we don’t care”), the group’s subsequent invention repeats episodes of staged hypothetical speech and samples various potential roles that promise to transform a less controlled conversation into a more controllable one. Another way to put this is, they move through a succession of structured interactions

between the audience role and proposed writer role until they find an interaction that feels most predictable and stable. Once they settle on this interaction, the proposed mediating document solidifies into genre (a survey). In this case, the short phrase “the law” represents authoritative discourse in general: a message that is transmitted intact, operates as its own rationale, resists any appropriations or even dialogue. Recognizing how “the law” limits them, the group locates the best way to be authoritative themselves: to structure interactions with audiences in ways that prevent “the law” from ever entering the conversation. The linguistic work of becoming an author, in this case, means identifying the limits of externally authoritative discourse and then crafting counter-strategies that might have a similar authoritative rigidity.

In this example, role-play work and the emergent mediating document are clearly intertwined. In projected interactions with their audience, the DPB group members imagine their first role as casual seekers of information (“Just checking in”), next, as advocates soliciting support (“Are you in support of this?”), to finally more structured surveyors, objectively documenting phenomenon (“Do you see this impacting?”). Each role posits a different strategy to avoid or work around the immutable, authoritative fact their imagined audience is likely to introduce (“it’s the law.”) They thus invent roles for themselves at the same time and try to construct a different role for their audience than the intractable one mandated by “the law.” At each stage, the writer role, audience role, and mediating document are proposed in a single performance, and, in this small example, group members are able to collaboratively refine all three in a smooth, linear process until they see themselves as authoritative—that is, as capable of predicting and structuring what audiences will say. One reason why the process might be so smooth is that the document they are proposing is not terribly complex. Plus, the writers engage in this work at the very *beginning* of their invention—before the writers have produced

written text and become invested in imagined roles. As the next section will illustrate, the process is not nearly so smooth when the writers undertake the more complex task of collaboratively planning the function of the DPB proposal.

### **IMAGINED AUTHORITATIVE DISCOURSE AND THE EMERGENCE OF MEDIATING DOCUMENTS AND RHETORICAL ROLES: A COMPLEX EXAMPLE**

While the DPB group considered itself “high-functioning” and indeed never encountered personality conflicts or other issues that threatened the group’s cohesion, not surprisingly, given the complexity of their rhetorical situation, their early collaboration did meet with a few bumps. The group produced their first draft by splitting up an existing report from another institution and then assigning individuals different sections to work on. This practice is common in collaborative writing, as noted by Wolfe (2009). In this case, it allowed the group to actually produce an initial draft before they did basic planning about the purpose of the report. When they came together to discuss their first composite draft, they discovered they held deeply different assumptions about what the report should do. In early meetings in which the group started revising and responding to this first draft, they spent most of their time trying to identify, deliberate, and reconcile their different versions of the report. In Plowman’s terms, when writing their first draft, different group members had different “mediating documents” in mind, in which group members assumed different roles for themselves. Their early collaborative process required them to thus make these imagined documents and roles explicit so they could compare and reconcile them. In this process, they also had to compare their methods of imagining authoritative discourse.

While this process is more complex than the process of writing the letter (described above), the same patterns of staging scenarios of delivery to propose roles and mediating documents emerged. As the following sections illustrate in detail, as the group



compared their various assumptions, the group required more than one conversation to align their different imagined scenarios of delivery; the agreed-upon mediating document does not emerge through a smooth process of collaborative refinement, as in the simple case of the letter-to-survey. Instead, roles and the eventual mediating document emerge from a kind of competition in which group members perform contrastive conversations with audiences and try to persuade each other that their version of *imagined authority* is the most realistic.

After the group produced their initial draft of the report and came together to discuss it, they realized they hadn't yet answered questions such as: Should they consider "the law" a roadblock that should be avoided (as they do in the conversation about the outreach letter, discussed above)? Or, should the group attempt to engage authoritative discourse in earnest, even forwarding their own interpretation of "the law"? As they debated these issues, group members became advocates of three main roles: the skeptic, the lawyer, and the business case.

### ***1. The Skeptic***

The most skeptical writer initially described her attitude toward the report as "perfunctory"—it was merely a "stack of 36 sheets" and an excuse to meet with the administration and quickly move to the next step. In the first meeting in which the group provided feedback on the composite draft they produced together (the same meeting the opening vignette draws from), she explains that the arguments are "obvious" and that people are already decided on the issue, so much so, the report is just an object to inspire action through its delivery: "the people who want to do it can just hold up a stack of 36 sheets and go, 'We got this report, and they should go do it.'" The content of the report is of little importance in this writer's estimation. It is instrumental since the group lacks

authority to do any substantive persuasion. In this sense, imagined delivery for this writer almost looks like *mere* delivery.

In an interview, this writer explained that her assessment was a very informed one: she had been involved in four previous attempts to try to persuade the administration to implement DPB over the past 15 years. She had seen, repeatedly, the efforts of well-meaning middle administrators halt dead in their tracks because of a lack of “political will.” In fact, a humorous refrain in group meetings occurred when this writer rehearsed this history, jokingly pounding her palm on the table, while saying something along the lines of: “I know you all know this [thump], but in my sixteen years here [thump], I’ve been involved in four attempts to get DPB [thump].” As she recounted in an interview and even informed a top administrator in a meeting, she has no interest in “googling HR policy” to learn about insurance models. To her, the report was a “Sisyphean task,” and amounted to having to “pay the gay tax yet again.” She resented doing the work others should be doing since “it’s the job of administrators to ensure equitable policies.” Furthermore, in her version of the report, it was not the group’s job to make a legal argument or figure out a solution to the problem. Instead, their report’s purpose should be to give other people “cover” so they could say what they should and motivate others to find a solution. In an interview, this writer described the likely thinking of their audience this way:

I’m hoping [the report] will provide cover for people..., who would feel authorized to push for this..., and who may feel like, “Well, we’re getting all this pressure...and that’s why we have to do this.” Rather than saying “Well, I think this is right and that’s why we should do this.” I mean if we can, if the document can be a way, “Well, now we have to respond to this so let’s finally do something about this,” that would be great.

When asked what she meant by “coverage,” this writer clarified that she thought people already wanted to act, but were reluctant to do so because they didn’t want to be seen as

“beholden to the LGBT community.” They needed a rationale outside of themselves—a way to simultaneously take ownership of and distance themselves from the cause. Providing this “cover” was the report’s job. Her own authority in assessing the rhetorical situation emerges in the way she confidently performs different versions of what the audience is likely to say—the roles she ascribes to others as she performs their thinking—drawing from her own ambivalence around the issue and years of experience trying to persuade members of the institution. From within this imagined authority, she devises what she believes is the most authoritative role the group could play to structure the anticipated future conversation. The best role is to perform the “rhetorical act” of delivering the report (not necessarily to introduce new arguments). This act should generate “coverage,” which then authorizes others to say (although not really own) the arguments “everybody already knows.”

## ***2. The Lawyer***

Others in the group imagined the report as structuring future conversations differently, with the group being direct authors of authoritative discourse themselves. Not surprisingly, the one writer on the committee with legal training considered the legal argument central to the group’s overall mission: the report would locate a solution—a legal argument and policy model—that the institution could actually apply to solve the problem. (Note that, while the lawyer had legal training, she repeatedly declared she was not equipped to address the DPB issue on her own. Her training was in another area of the law, and while she could do the most competent legal research of the group, she also felt she was working in the dark.) When asked how she understood the work of the report in an interview, she described it as a “strategy-building document”: the group would use the report as the occasion to research different possible strategies and then once they’ve

laid out all the options, decide “what tack to take,” hopefully resulting in a viable legal case. For her, the delivery of the report was less important than the content within it, or even more precisely, the process of research required to produce it. She envisioned the group producing actual technical, legal interpretations, or even more authoritatively, instructing others how to do so (that is, telling administrative lawyers exactly how to reinterpret and implement their own policies to make DPB achievable).

When asked in an interview to describe what kind of legal arguments she thought would be persuasive, the lawyer used hypothetical speech to model technical legal arguments, for example, of precedence: “We can say... ‘you made this adjustment in this area of employee compensation, now do this other thing in this area of employee compensation.’” Getting the administration to act, in this case, means addressing them in authoritative discourse directly, on equal footing, citing precedents from their own policies. In fact, when describing her research, the lawyer said this was exactly what she was looking for: well-settled past actions the group could use to warrant claims about what the institution has the authority to do now. The rhetorical challenge, as she described it, was convincing authorities that the parallels between the historical case and the case at hand are close enough to treat the same way. In terms of controlling what others can say, she seeks to persuade the institution that its own history controls what it must do in the future—the most technical approach to structuring future conversations. Thus, she seeks arguments that limit the rationales the institution can offer when it wants to refuse to act. When describing this strategy to the group in a meeting, she explained, “When the administration says, ‘Our hands are tied,’ we can say, ‘Oh, no they’re not.’” For her, the internally persuasive response to role she imagines her audience assuming is to use the institution’s own history to contradict it. While her version of authority is very different than the skeptic’s, the *pattern* she uses to locate authority is the same: relying on

personal experience (and in this case, professional training) to reinforce her confidence about the imagined externally authoritative statement, she derives her sense of authority about the role writers should play to best structure the anticipated conversation.

### ***3. The Business Case***

Others in the group seemed to agree that the group could become legitimate authors of authoritative discourse—that is, construct arguments that would get a legitimate hearing—but their emphasis was different. They focused more on the “business case,” what some called the “capitalist argument,” the “facts,” the “hit,” the “stats” that “put a number” on the problem. Much like Cross’ collaborative writers, the DPB writers who emphasized the “business case” saw their work as demonstrating synergies—showing that the “hit” that the institution was taking was directly related to its discriminatory policies. Thus, what benefits the LGBT community also benefits the institution. However, this group added another layer of dialogism to this argument as they performed these arguments not so much to inform key administrators of something (which the group assumed they already knew) as much as to give allies “ammunition.”

As one group member described it:

If [allies] come back and say “I’m losing staff and the President says that retention is one of his huge gigantic things, I’m losing [staff] more importantly,” then it will give the President and the Chancellor the data to go to the Regents and say, “Do you realize that ‘80% of our Department Chairs and Deans have said we have directly lost [staff]?’” That’s where the report has power... and then if they don’t do squat, that’s when I want to go to papers and T.V. saying “Do you realize how embarrassing it is to be at [this institution] and we have lost 80% of these certain kinds of staff because they won’t do this?”

Although not the direct engagement of authoritative discourse the lawyer envisions, this writer’s imagined discourse also anticipates authority, then attempts to mimic monologic control as the writer imagines being able to shape and control what higher authorities are

saying to each other, again, participating in legitimate ways in the administrative discourse of the institution. Articulating “where the report has power” by performing hypothetical speech, this writer imagines a “sound-byte” delivery approach, whereby key aspects of the message get repeated in different venues, contributing to a wave of public attention that would shame the institution. The “business” model is similar to a negative public relations campaign in which the group gets the right people saying the right things (symbolized by the repeated 80% statistic).

However, in interviews, this writer also explained how she personally perceived the attitude of administrators: “*Nobody* [in the institution] really cares about this. ‘It’s just a gay thing,’ if you will.” The authority this writer imagines is not merely that she can align herself with her audiences by appealing to business values, but from the informed stance regarding the “real” limitations (that is, nobody will “really” care about the issue). Given this constraint, she imagines their most authoritative role as delivering “facts” and “stats” that have the power to shame.

### **Conflicting Approaches to Imagining Authority**

Each group member performs her version of how best to engage authoritative discourse hoping to generate *involvement* in other group members (Tannen 2002). However, in their early conversations, these performances did not easily produce group consensus. Group members resisted each other’s proposed roles as they did not at first seem compatible. Thus, finding a compromise and compatible mediating document did not emerge through a smooth process of collaborative refinement (as it does in the simpler case of the letter, described earlier). One possible reason why the group members found it difficult to compromise their roles—after producing the first draft of the report—is that they had already worked hard to produce them. That is, they had already imagined

versions of externally authoritative discourse and derived a response that resonated (at least partially) with something each writer felt internally persuasive. For instance, in the case of the business role, in the derived authority of “shaming” the institution through “stats” was a resonating core that writers could find internally persuasive. The skeptic’s derived role also projects an informed ambivalence that makes the stance seem internally persuasive to her: after years of inaction, where well-reasoned and researched arguments have fallen on deaf ears, only a “dupe” would expect a different result. Similarly, what the lawyer finds internally persuasive also reflects an informed ambivalence: no argument will persuade an institution to act if it does not want to. The only persuasive role they can assume, given this fact, is to use the institution’s own history. In other words, each role is ambivalent because it derives its internally persuasive quality from an acknowledgement of the group’s lack of power—and each role is persuasive to group members because this ambivalence feels informed, practical, and realistic. While the group’s case is certainly unique, given the complex legal and identity political limitations they face—it is likely that some degree of informed ambivalence is common in all advocacy writing. Problems are always more urgent to the proposer than to an audience invested in the status quo. The question is how this ambivalence influences writers’ invention—in particular, how writers identify viable rhetorical roles and mediating documents in the midst of this ambivalence.

Each role is the product of the individual’s “ideological work,” to use Bakhtin’s term, to identify the gap between imagined externally authoritative discourse and a response that contains some small element the writer perceives as internally persuasive. Thus, even when the imagined authoritative voice is dismissive of the group and their cause, performing it is as an authorizing mechanism. This case is different, however, than other studies of the “a-ha” moment in which authors identify an audience assumption

they consider “wrong” and assume they can confidently and easily correct it. In fact, to believe too earnestly in the easy authority of any role renders it less persuasive to the writers. Somewhat ironically, the more ambivalent the derived stance, that is, the more potential authority is forged through informed knowledge about rigid limitations, the more internally persuasive it becomes to writers.

For instance, the skeptic’s role initially came into conflict with both the business and legal roles (not surprisingly). After listening to the “business writer” articulate her plan of the “80%” statistic, the skeptic responded that she worried the group risked making themselves “chumps” when, after gathering all these statistics, the report falls on deaf ears. She tells them, “I don’t want to break my heart like that.” The skeptic’s role was perhaps most incompatible with the legal writer’s. Just as producing the business case would require additional research and resources, so would the legal argument, even more so. Locating a viable legal interpretation requires an incredible amount of time and expertise, and, in researching a section of the report that would answer the question “Is there a resolution against DPB?,” the lawyer spent six hours compiling pages of complicated policy statements from several different sources: the institution’s handbook of operating procedures, the state constitution, local anti-discrimination ordinances, and secondary sources such as law review articles. The lawyer wove these excerpts together to construct the argument that the institution had the authority to act independently of the state legislature. In an interview, she explained she saw this issue as the most important part of the report, the “sink the ship” question. However, when revising this section of the report, the skeptic (who was acting as the report editor) deleted several pages of policy analysis and replaced them with following answer: “Is there a resolution against DPB? No. The [institution] is free to find a legal way to provide such benefits.”



In an interview, the skeptic explained that she acknowledged that the legal writer was being a “very competent lawyer” by researching “every possible reason why they can’t do it.” But she thought it would be a far better strategy to “answer the question simply, ‘you can do it.’” Invoking dialogue to describe her reasoning, she explained, “I wrote this from the standpoint of, ‘I don’t want to get bogged down in the legal convincing of you. Figuring out policy models is your job; it’s beyond my pay grade.’” Recognizing herself as a potential authority (her equivalent of the “a-ha” moment—the product of her “ideological work”) means acknowledging her powerlessness within externally authoritative discourse and deriving a role whose power is best exercised outside of it (demanding others “do their job”).

In response to this role and imagined delivery of the report, the lawyer worried that administrators would simply respond, “our hands are tied.” In a meeting where the group considered the two very different approaches to addressing the “legal question” in this section of the report, the lawyer reasoned, “we tell them they are ‘free to act,’ but will they?” As is discussed above, the lawyer’s legal training taught her convincing an institution that it is “free” when it does not want to be, is quite a complex undertaking, as part of the privilege of wielding authoritative discourse is the ability to rationalize the will to act or the will *not* to. The institution can simply claim its own authority extends only to policy enforcement not policy writing. Thus, the lawyer argued that the committee’s role should be to make a technical case for the institution’s expansive legal authority. In fact, from this perspective, what the group attempts to accomplish in this section of the report is more than just engaging authoritative discourse and even more than just trying to control what an institution “says.” The group is trying to intervene in how the institution conceives of itself: how it understands its own rule-writing and policy-forming authority—its ability to act independently of the state legislature. The

lawyer, perhaps sensing the magnitude of this task, insisted that the proper approach was to come equipped with technical counter-arguments that the institution was indeed free. Her approach to envisioning the group as legitimate authors, given her disciplinary exposure to the law, was to imagine them to be fuller, more insistent users of authoritative discourse. This role is thus incompatible with a role that assumes the most authoritative stance is “outside” authoritative discourse, telling others to “do their job.”

At first, the incompatibility between these roles caused the writers to literally write over each others’ work. The source of conflict, as the group worked to find compromises between these roles, was not simply that these roles didn’t align, but to use Bakhtin’s terms, any group consensus threatened to disrupt an individual’s “becoming,” that is, the work she did to reconcile competing discourse and derive a potentially authoritative stance. To discount one of these scenarios meant asking an individual to abandon or ignore the work she had done to produce some version of an “a-ha” realization. Writers are not quick to abandon their ambivalent stances once they have invested the work of constructing them. In this way, the more ambivalent the role and the more “ideological work” required to locate some degree of authority within that role, somewhat ironically, the more resistant the role can be to change.

### **Finding a Parallel Involvement**

The group resolved this issue soon enough. In another meeting soon after the group acknowledged their contradictory assumptions, they continued staging scenarios of delivery to debate their visions for the report. One group member argued that the report was not “perfunctory” and the content mattered. The group’s situation was different from the dozens of times this same work was attempted in the past:

Ga: I think that there is a difference because we have people that are at the higher ups. That are saying “Oh, for me to do this, I need this information. I need this

information.” And we’re like “Okay, we’re going to get you that information.” Instead of “Here, we’ve put all this stuff together now and we want you to look at it,” and they’re like “Naw, I don’t want to look at it.”

Li: Right, yeah, that is a difference.

Ga: But I will be the first person out there with a sign and calling the media if we go

Ly: Play by the rules

Ga: Do the chain of command, do all that, and then they ignore us, I’ll be like, “That’s it!”

Sa: I’ll be next to you.

Ga: Or if they say, “This isn’t the time, we have a Republican da da da.”

Ly: Yeah, like “Too bad so sad.”

Ga: You’re probably already past that point because you’ve been doing this for years.

Li (the skeptic): Actually though, what you’re saying is making me think that we’ve gotta do a superb job on the report.

[Group laughs]

This episode of imagined delivery marks an early turning point for the group, where the skeptic changes her mind about the purpose of the report. In this scenario of delivery, the report is articulated as a contract with members of the institution: if the requested information isn’t considered seriously, it’s time to “take it to the streets.” When the “hand off” with audiences is envisioned as contractual, the group envisions the same mediating document being used for multiple purposes when the contract is not met: to engage official, authoritative discourse and to embark on the more antagonistic work of social activism. Through this particular episode of role-play work, and the scenario of delivery it proposes, a synergy is achieved between group members’ various roles and the way

they understand the report-as-imagined object. The group laughs at how instantly they overcome their conflict; in a split second, the group dynamic changes: conflict is resolved and they share a commitment to producing a “superb” report.

What can explain this rapid resolution of conflict? Especially given the resistance group members previously exhibited toward compromising the roles they had constructed? Looking closely at the pivotal conversation above, it could be interpreted that what resolved the conflict was the simple act of envisioning the right “mediating document”—the contract—after which the group intends to broadcast the same message to far broader audiences. When asked in an interview what inspired her change of heart, the skeptical writer interpreted events this way:

During the meeting, we kind of came up with a strategy whereby if it is the case that we’re not finding a receptive audience...then it would be possible to release the report to the media and have press conferences, and that made me think, “Okay at that point, you would want it to be a very quotable, impressive document.”...when I think that the audience is a public beyond the administration, I feel more motivated to pay attention to the quality of the report rather than the act of creating the report.

As she describes, when the purpose of the report is not solely to convince authorities (which she believes would probably not happen), the content of the report becomes quite important. Simply, when the report is conceived of as addressing multiple audiences, it can function in a different imagined scenario, one where the skeptic can picture their words actually getting a hearing.

If this is the case, what inspires this writer’s change of heart isn’t solely a multi-purpose report, but more technically, her ability to preserve her original perception of authoritative discourse and the best way to engage it—from the outside. In other words, the compromised mediating document—a contract—allows her to envision a scenario of delivery that leaves her imagined role intact. In fact, the skeptical writer’s own

explanation of how the conflict came to be resolved (that they devised a new multi-delivery strategy) isn't the whole story, as the group had been working under the assumption, from the very beginning, that the report was only a first step and that more aggressive activist work would follow. Even in their early meetings, the group replayed a delivery scenario where they might "take it to the streets." For instance, the vignette that starts this chapter showcases a similar conversation, in which the report is a conditional contract, after which the group threatens to begin activist work and the administration had best "Be ready...." Even the "business case" the "80%" statistic version of the report above, was articulated as multi-audience, with the same statistic being presented to the administration, to the media, to the public. Thus, articulating the mediating document as a "contract" was certainly part of what enabled this pivotal compromise to emerge, but there seem to be other factors at play.

For one, in this conversation, other writers (beyond the skeptic) not only acknowledged, but sustained a performance of their versions of imagined externally authoritative discourse. The skeptic's change of heart ("Actually though, what you're saying is making me think that we've gotta do a superb job on the report") occurs directly after two group members offer up an extended performance, in the persona of authorities, of how people might say "no we don't care about that." In particular, two group members acknowledge that likely responses from the authorities could be "We have a Republican da da da," and even more simply and potently, "Too bad, so sad." In a sense, consensus emerges after the other writers perform the ideological work that had informed their roles; that is, they index the imagined authoritative discourse they derived their roles from within. It is when group members perform this imagined authoritative discourse and demonstrate the informed ambivalence of their roles that they earn the trust of the skeptic and convince her to engage authoritative discourse with them in earnest. While they had

voiced an aggressive, activist stance previously, it's the concomitant performance of imagined externally authoritative discourse that projects a version of *involvement* the skeptic can situate herself within and co-create—she can envision herself being *that* kind of author. She is thus not required to disrupt the prior ideological work she undertook to construct her own authoritative role.

This episode of dialogue is pivotal because the group finds a version of consensus that permits and sustains each individual's means of managing ambivalence. Preserving this ambivalence is vital because it is precisely what characterizes any informed, authoritative role in this rhetorical context—which is necessary for the writers to imagine themselves as legitimate authors. A few observations about the work of imagining authority in a case like this one can be derived from this case study. First, there is incredible tenacity in writers' roles when they are forged through complex ideological work. However, there is also flexibility in collaborative invention to accommodate conflicting roles as long as writers locate a mediating document in which those roles can coexist. In this particular case, consensus did not emerge because these imagined roles changed, but because the mediating document evolved to accommodate them. Finally, the narrative suggests the usefulness of exposing and sharing the mechanism used to construct roles when writers need to locate common ground. In this case, the writers found consensus by emphasizing the version of imagined externally authoritative discourse that influenced their informed ambivalence, which shaped their internally persuasive roles.

## CONCLUSION

Each mediating document the writers invent in this chapter actually ended up being relevant in events that unfolded over the next few years: the “business” message

indeed came to be spread at future activist rallies, in the media, and as the group lobbied the state legislature; the group was indeed forced to develop legal arguments, and (as chapter 5 discusses in detail), would even spend a lot of time revising the very section of the report they debate above (the one the skeptical writer deleted); yet, at the end of the day, the group is not able to generate enough political will among administrators through the content of the report alone, regardless of carefully researched legal and business arguments. In other words, while the writers initially felt invested in these roles as discrete entities, the work they do later requires all of them.

Situating the group's early role-play work within the broader context of what happens over the next few years raises questions about the rhetorical effectiveness of the group's early role-play work. When writers must work harder to forge "a-ha" moments of realization, as in this case of ideological conflict and uncertainty, are they more prone to assume stronger "ownership" and personal investment in those constructed rhetorical roles? If this is the case, does this tendency put writers at a disadvantage in complex rhetorical situations, where roles must be partial, compromised, and complementary enough to address multiple stakeholders or when writers need to "wear different hats" (the activist, business person, or legal hat)? Clearly, the group's early role-play work is incredibly generative, as when the writers assume roles—when they "own" them—their involved performances inspire the group to examine the nuance of each role—to experience identity political affinities with a role, identify potential unintended consequences, and in this case, locate an informed ambivalence necessary to make the role seem persuasive. However, while personal "ownership" of discrete roles is rhetorically generative, it can lead writers to "flatten" out and simplify highly complex rhetorical situations.

It could be argued that the group's role-play work is successful because they are able to locate a mediating document that preserves these discrete roles. This observation raises the question of whether less committed writers would have been able to similarly manage conflict between imagined roles. The DPB writers are experienced activists, all committed to a common cause, and eventual friends who bond over their LGBT identity-based experiences. Before they began collaborating, they planned how disagreements would be addressed (using a "consensus -1" approach). Obviously, these writers were deeply motivated to collaborate successfully. In cases where writers are not so motivated to work together, would imagined delivery be as useful a tool? Would other writers be similarly motivated to do the extra work necessary to locate a mediating document that can accommodate contradictory roles that may emerge?

Another question to ask is whether early role-play work differs in writing situations that are not so rife with ideological conflict—where the work of imagining oneself as a legitimate author is not so hard. Another way to phrase this question is: how much of the role-play work evinced in this case study is "extra" work for groups outside of authority—versus role-play behaviors more and less authorized writers share. One claim that can be easily made based on evidence in the narrative, however, is that talk served as more than a prop or tool for the writer's collaboration. Talk was the vehicle for their constructed planning tool—imagined scenarios of delivery—which was instrumental to their early work. This raises a final question: if talk is influential to writing process during early collaborative planning, what other tools emerge in writers' talk later as their process evolves?



## **Talking Back to the Law: Role-Play Work and Active Reception in a Case of Institutional Change**

Throughout the process of collaborating on their report, the writers often evaluated potential allies, especially institutional insiders or people with legal training. They sought someone — anyone — to help them open up a new conversation around the seemingly impenetrable web of legal discourse that, administrators claimed, controlled the institution's authority to enact policy change. Past conversations with officials had been flat, unidirectional, always ending the same way: "An open and shut case." "The law is in the way." "Our hands are tied."

In one meeting, the writers think of a person who might help open up this conversation: a woman in the administration with legal training who several writers already knew. But one writer recounts that she's already had the conversation with this particular person about "five million times," and it always "ends at the door." "The law," another writer finishes the story, familiar with the way it goes: "You know, 'There's a law in the way.' It's like, 'whatever, there's always a law in the way.'" Laughing, the writers perform other fantasy retorts: "Can you DO something about that!" "Yeah, that's my question! 'You're a LAWYER!'"

As is noted in other chapters in this dissertation, the ultimate rhetorical challenge the DPB working group confronts is building the case for institutional agency, that is, to persuade the institution it already has the authority to act to implement DPB. In particular, the institution must be motivated to get "creative" so it can find a way to interpret and write its own policies to extend its insurance offerings. The previous chapter demonstrates how the writers brainstormed different strategies that might motivate the institution even though they had access to neither legal resources nor administrative insiders. The group thus initially worked "in the dark," and their early invention consisted of *imagining* what might constitute an authoritative argument. As the opening vignette of this chapter illustrates, early in their process, when the group members attempted to talk back to the stock statement, "we can't do it, it's the law," they lacked the resources to

know exactly what to say. However, soon after the group reached a consensus about the best strategy for their report (around the same time as the end of chapter 3), events transpired that altered the group's relationship to authoritative discourse considerably.

Between December of 2007 and January of 2008, another employee in the institution, working independently and without consulting the DPB group, decided to file a discrimination complaint arguing the lack of DPB constituted a case of unlawful discrimination against LGBT employees. When that complaint was eventually dismissed, the same individual went on hunger strike for several days. His activism received local and national media attention and garnered wide attention and support from LGBT and other activist groups. The hunger striker was interviewed regularly by the media and was consistently confrontational in these interviews as well as in meetings with members of the institution. He called out administrators personally for their failure to ensure equal treatment of employees. The hunger striker always made sure reporters were in the room when he met with administrators and asked them to explain, in detail, why they could not offer benefits. As a result of these events, the institution was forced to take a public stance and clearly articulate its interpretation of the law.

Only one member of the DPB working group was acquainted with this employee, and his efforts were a surprise to the group. In fact, some members of the group were more than a little dismayed because they had been working to “keep things under the radar,” at least until they presented the report to administrators. This strategy was the advice of experts at other institutions who had successfully established DPB. The group feared the hunger striker's tactics “backed the institution into a corner” and forced the institution to take a firm public position and “dig in its heels.” On the other hand, the proliferation of newly public documents generated by the events of the hunger strike gave the group members and their allies increased access to the technical detail of the

institution's legal argument. Access to this argument allows the group to learn exactly how the institution's legal interpretation works: as this chapter will explain in detail, as a network of cross-referenced laws and statutes, where texts are shown to say and do certain things, which controls what the institution can say and do. With the help of legal experts, the group can now parse how the institution constructs its own agency and produce a counter-argument about that model of agency. Thanks to the events of the hunger strike, the writers no longer have to "work in the dark."

The crux of what is contested at this stage of the story is the *role* of the institution: should the institution assume the role of a neutral, policy-interpreting agency, or a policy-making entity that is accountable for the equality it does or does not confer? As the lawyer in the DPB group predicted in the previous chapter, the institution uses legal arguments to validate the role it wants to assume, and agents of the institution take their cues from that role. This chapter examines the textual origins of this role, how it shapes the roles institutional agents assume, and how other actors assume roles to challenge and counter this institutional role. While this chapter is not directly about the DPB group's writing process, the events of the hunger strike deeply impacted the group's perceptions of and relationship to authoritative discourse. In fact, these events directly inspire the role the writers eventually assume for themselves after the hunger strike subsides. In other words, while the hunger strike interrupted their work temporarily, the DPB writers observed events keenly, met and spoke with administrators to seek their interpretation of events, and eventually received counsel from new legal resources. The events of the hunger strike were like a front-row pass to witness roles that emerge when the question of DPB goes public, including the roles assumed by institutional members and roles various actors can assume as they "talk back" to the law.

The tumultuous events of the hunger strike thus serve as a case study of another kind of role-play work in the midst of contested authority: the process of actively *interpreting* (not *imagining*) an authoritative articulation and then constructing a role to respond to it. To understand role-play work that occurs when actors actively respond to authority-as-articulated, this chapter examines patterns in reported and hypothetical speech: first, in the institution's interpretation of the law, then in the hunger striker's confrontation of administrators, then in two insider administrators' response to the hunger strike, and, finally, in an expert's legal analysis and response. Examining these actors' uses of reported and hypothetical speech, this chapter seeks to answer the question: what work do actors engage in to construct viable roles in response to authority-as-articulated?

#### **ACTIVE RECEPTION OF AUTHORITATIVE DISCOURSE**

According to V.N. Volosinov (often assumed to be M.M. Bakhtin), in episodes of reported speech, a "dynamism" between the reported message and the reporting context reflects the "dynamism of social interorientation in verbal ideological communication between people" (p. 119). More simply put, the way we use another speaker's words reflects our perception of the relationship between that speaker and us. The same is true with how we use texts. When speakers embed others' textual utterances into their own communicative acts, choices they make in terms of framing and rendering suggest their orientation toward that text. Reported speech can thus reveal internal processes that are normally unspoken, what Volosinov describes as the process of "active reception," whereby speakers invoke "inner voices" to "receive, comprehend, and internalize" information (p. 118). Volosinov argues that by tracing this "active reception," we can seek answers to questions such as: "How, in fact, is another speaker's speech received? What is the mode of existence of another's utterance in the actual, inner-speech

consciousness of the recipient? How is it manipulated there, and what process of orientation will the subsequent speech of the recipient himself have undergone in regard to it?” (p. 119). In pursuing these questions, we glean information “not about accidental and mercurial subjective psychological processes in the ‘soul’ of the recipient, but about steadfast social tendencies...that have crystallized into language forms” (p. 117).

As part of their writing process, the DPB writers often playfully exploited this dynamism to try to imagine themselves participating within authoritative discourse. For instance, in the vignette that starts this chapter, one group member rehashes a prior conversation with a certain administrator. Other group members join in the reenactment, collaboratively performing their attitudes toward the reported message, and eventually envision themselves “talking back.” Through this collaborative reenactment, they dramatize not just the particular exchange under question, but what they perceive to be a generalized attitude, one that has become so hardened and pervasive the writers offer it up as a glossed, condensed cliché. For the group, the simple words, “the law,” encapsulate all the episodes of prior telling, how members of the institution point to authoritative texts to avoid engaging in genuine dialogue, as several writers described it, “hiding behind the letter of the law.”

Because the group initially did not have access to the technical detail of the law, however, their capabilities to identify persuasive responses were initially limited. Yet, while the group is clearly being playful in the opening vignette, they actually devise one potential strategy that is used by others in this story (as will be discussed in more detail below): their hypothetical “talking back” disrupts what Volosinov describes as the “linear” structure of authoritative discourse, that is, the way reported speech can segregate the reported message from the reporting context. A distinct “linear” separation between speaker and message allows a speaker to construct “the law” as an objective

fact, one that conveys authority regardless of a particular reporting context or speaker. One strategy to disrupt this structure, which the group playfully explores in their early invention process, is to directly call out the person doing the reporting—insisting on the reporting context’s connection to the reported message. In their direct address to their interlocutor, the group members thus try to interject her agency back into the conversation and, in the culminating exchange of the reenactment, transform a conversation with “the law” into a conversation with a lawyer.

#### **SCHEMES BETWEEN THE LINEAR AND PICTORIAL**

Volosinov postulates that discourse becomes authoritative precisely by “curbing the individualization of reported speech.” To explain further, Volosinov cites legal language as the prime example of the supremely authoritative and thus most clearly “depersonalized,” linear style:

Judicial language intrinsically assumes a clear-cut discrepancy between the verbal subjectivism of the parties to a case and the objectivity of the court—between a ruling from the bench and the entire apparatus of judicial-interpretive and investigative commentary...The stronger the feeling of hierarchical eminence in another’s utterance, the more sharply defined will its boundaries be, and the less accessible will it be to penetration by retorting and commenting tendencies from outside. (p. 123)

Volosinov describes the precise phenomenon the DPB writers bemoan in the opening vignette: in legal discourse, when “the law” talks, speakers reporting “the law” are removed from the reporting context. Thus, somewhat paradoxically, the speaker achieves ultimate authority by denying her own agency in the relationship between reporting message and reporting context. Volosinov contrasts the “clear-cut discrepancy” between reporting context and reported message in judicial and other kinds of authoritative speech with the “retorting and commenting” possibilities characteristic of the “pictorial” style of reported speech. In the pictorial style, “the reported context strives to break down the

self-contained compactness of the reported speech, to resolve it, to obliterate its boundaries” (p. 121). In this style, one could comment on the reasoning of “the law,” mocking it or otherwise shaping it in the act of reporting it. While these styles of delivering prior speech are clearly intended to be opposed (similar to the separation between authoritative and internally persuasive discourse, discussed in chapter 3), Volosinov seems to be suggesting a spectrum between the two extremes, where the more authoritative the reported message, the less flexibility a speaker enjoys in commenting on and shaping it. In terms of rhetorical invention, this spectrum suggests a possible site where writers can imagine themselves challenging, leveraging, and even changing authoritative discourse.

In fact, scholars outside the field of rhetoric eagerly examine how speakers take advantage of this opportunity, that is, how they configure reported speech in ways that enhance their own authority. Case studies demonstrate how, when taken in the context of a larger communicative act or when considered in combination with other rhetorical strategies, episodes of reported speech can reflect aspects of both the linear and pictorial styles. In her analysis of the linguistic strategies officials use to control discourse in public meetings, Alvarez-Caccamo (1996) documents a sharp linear separation between message and context whenever speakers summarize and discuss “the law” in public, political discourse. Alvarez-Caccamo argues that when speakers point to “what the law says,” a separation between context and message enables them to achieve a “supreme ventriloquism,” as they “speak the message of a superior actor” while also appearing “its mere servant” (p. 264). She thus documents a case where reported speech ostensibly falls on the “linear” side of the spectrum. However, she also demonstrates how this particular linear scheme works in tandem with other rhetorical devices. In particular, the speaker configures a scheme in which the depersonalized, linear style of reported speech

complements other personalizing strategies whereby the speaker constructs his own authority—in what Alvarez-Caccamo describes as a web of identity “affiliations” between the subjective and the institutional. Furthermore, Alvarez-Caccamo contends that schemes such as this one are so potent, we should work to understand authority “not [as] a vested institutional attribute,” but in “the process and outcome of building hegemonic control over the space of talk” (p. 246).

Looking at a very different context, Holt (1996 and 2000) analyzes casual phone conversations and discovers another contradiction or “ventriloquism” of sorts. Using direct reported speech, a “linear” style, speakers can appear to deny any active role in shaping a reenacted conversation, thus presenting the conversation as “objective” evidence. At the same time, speakers can couple this air of objectivity with framing cues in prosody or in prefatory gloss outside the actual reported message, which enables them to offer commentary on the reported message and shape its interpretation. The strategies that inject commentary into naturally occurring, casual interactions can be incredibly slight, such as in the placement and tone of “turn initials,” such as “Well,” “Oh,” and so on. In such cases, speakers strategically employ the linear style to make their “evidence” seem more objective, but use very subtle devices to inject the commenting, subjective aspects of the pictorial style.

Such studies suggest that, when we consider reported speech not as a discrete linguistic form but as a rhetorical tool embedded in a larger communicative act, speakers intuitively know how to blend the characteristics of linear and pictorial styles to serve their purposes. In the same study of phone conversations, Holt notices a trend in how speakers use the pictorial style of indirect discourse to “set the stage” as they recount a prior interaction, but then switch into a linear style of direct discourse to emphasize the culmination of the exchange. Similarly, in a study of how racial difference is represented



in reported speech, Buttny (1997) demonstrates a similar scheme in how speakers employ a pictorial, summarizing style to characterize what they perceive as the misguided talk of members of a different race (an out-group), and then invoke direct discourse, a linear style, to respond to, rebuff, and “correct” that out-group’s assumptions. Volosinov himself also outlines a scheme in the literary texts he examines whereby the direct style subtly shifts into the indirect: he uses this example to argue that dialogic voices are persistent as they inevitably creep in and disrupt the linear separation between reported message and context (p. 132).

Beyond using the categories of “linear” versus “pictorial” to characterize isolated episodes of reported speech, we can trace such schemes to examine how authority gets constructed in certain settings and types of discourses. Furthermore, we can trace the transformation of schemes across texts, actors, and time: that is, how one scheme constructs authority as an articulated relationship between reported text and reporting agent, which inspires counter-schemes from other actors who rearrange this relationship between texts and agents. In fact, none of the studies listed above apply this approach to trace how speakers directly challenge authoritative discourse (articulated as a linear scheme). Most studies of reported speech in conversations depict how speakers strategically employ linear speech. In other words, strategically borrowing from the authority of the linear style is one thing. Directly “talking back” to, challenging, and changing it, is another. If, following Alvarez-Caccamo’s contention, we can analyze institutional authority as “the process and outcome of building hegemonic control over the space of talk” (p. 246), we can also trace schemes individuals construct to challenge that authority. With this lens, we can also question what individuals with different degrees of authority and access to institutional discourse do to “talk back” to authoritative schemes. For instance, how do expert policy-makers and lawyers combine the linear and

pictorial style to offer counter-interpretations versions to “what the law says?” How does this contrast with what those working outside authoritative discourse do? Within the context of rhetorical invention, what roles do writers derive for themselves and others by reconfiguring the relationship between texts and speakers?

The narrative that follows provides three case studies of “talking back” schemes in the context of institutional discourse. The story begins with the original authoritative scheme the institution constructs to *deny* its agency (that is, its ability to change its policies to offer DPB). The linear utterance of “what the law says” gets repeated and propagated across different channels—from the original, official legal presentation, to other institutional genres, and even to talk, shaping roles multiple actors assume. In response to this authoritative scheme, actors in this story produce three “talking back” schemes that (to various degrees) directly challenge the initial linear utterance by reconfiguring the relationship between texts and speakers: one the hunger striker uses to insist on institutional agency, one a legal advocate uses to offer a technical counter-scheme that constructs an alternative account of institutional agency, and one an expert administrative insider describes that tries to sustain a useful tension between the linear and pictorial schemes. This chapter examines these cases as forms of role-play work through which individuals devise authoritative roles by reconfiguring the relationship between texts and speakers.

#### **TRACING A LINEAR SCHEME FROM ITS SOURCE: INSTITUTIONAL RESPONSES TO THE HUNGER STRIKE**

The events of the discrimination complaint and hunger strike generated a variety of institutional responses in written and spoken texts. The basic message that resonates through all of them, though, is one the DPB writers were already well acquainted with: “There is a state law. Our hands are tied.” Yet, the events of the hunger strike did produce

new and more useful information: the precise legal reasoning behind this standard response, which was clearly articulated by members of the institution as they explained and defended their non-action. In other words, the institution was pressed to explain exactly which state laws were the roadblocks and how these laws *necessarily* prevented the institution from acting.

The argument is complex: as a public entity, the institution is limited in terms of whom it can define as a benefits-eligible dependent because it is bound to the restrictive definitions already articulated in state codes. Specifically, the public institution's ability to offer benefits is controlled by the State Insurance Code (Texas Insurance Code, 1601.107). Qualified classes include "Spouse" or "Child," and the definition of "Spouse" was derived from the State Family Code definition of "Spouse." The Family Code clearly states that a same sex marriage or civil union cannot be used as the basis of claiming eligibility as a "Spouse" ((Texas State Family Code, 3.401.5). The institution claimed its own authority was thus suspended within a web of cross-references: the power to offer benefits is dependent on the definition of "Dependent" in one text, which is controlled by the definition of "Spouse" in another, and that definition is clearly exclusionary. On top of this interpretation, the institution layered another prohibitive factor although its connection to the case at hand was more loosely articulated: the legislative Defense of Marriage Act (DOMA) and state constitutional amendment both also restricted marital or "similar" recognition of same sex partnerships.

When pressed to explain the institution's position, administrators offered various summaries of this legal argument in different written and spoken texts: an internal legal memo, circulated among administrators as the "official" answer to any questions about DPB; in two written letters, based on the legal memo, which respond to the discrimination suit initiated by the hunger striker; and in spoken explanations to

television and other media during the events of the hunger strike. As the authoritative interpretation migrated through these various texts, a consistent scheme of reported speech emerged.

### **The Internal Legal Memo**

Two years before the events of the hunger strike, lawyers in the institution's Office of General Counsel circulated an internal memo (which was made public after the hunger strike) answering the question: "Is it possible to interpret Texas Law to permit the [Institution] to provide uniform group benefits to the same sex partner of an eligible employee or retired employee?" This opening question is the only location in the four-page memo where the act of "interpretation" is referenced explicitly. While presenting a detailed explanation for the simple answer, "No," the language of the memo meticulously avoids wording that suggests any flexibility or possibility for counter-argument. No other "interpretation" of the listed statutes is possible given what "the law" says—the obvious connections between cross-referenced definitions, described above, where one text controls another, which thus controls how the institution may act. In fact, to support this argument, the memo employs a scheme of reported speech that functions to conceal the interpretive moves the memo itself relies upon.

In the document, legal statutes are referenced in several ways, but two are easily the most common. One is direct quotation of the statute, always preceded by the neutral verb "states," as in "Texas Insurance Code (TIC) 1601.107 states that 'an individual who is eligible to participate....'" And again, "TIC 1601.107. Definition of Dependent states as follows: [quotation]." The other is a paraphrasing sentence that subtly interprets the relevance of the direct quotation, normally directly following or preceding the direct quotation. This second sentence type is also consistent in its construction across the

memo, relying on a syntax in which the codes “do” something to an institution or person. For instance, “Chapter 1601, TOI *permits* a person to obtain coverage” (*emphasis added*). Again, “the 78<sup>th</sup> Texas Legislature enacted Senate Bill (SB) 7... that *prohibits* a Texas state agency from recognizing same sex or civil unions” (*emphasis added*). Following or preceding the direct, linear quotation, which neutrally and factually reports what the statute “states,” the second sentence subtly accomplishes the work of legal interpretation by invoking action verbs that ascribe agency to those texts, which “permit,” “prohibit,” “authorize,” “limit,” “do not recognize,” “define,” “specifically require,” “create,” and “void.”

This sentence structure dominates the legal memo. In fact, the body of the memo consists of 29 sentences, and of these, 14 conform to one these two sentence structures, either a direct quote or a statement in which the text “does” something. The two styles clearly reinforce each other as the linear style of the direct quote is the transparent text offered as “proof,” which justifies the move to a sentence that explains what that text “does.” The move between the first and the second sentence structures accomplishes interpretive work in a particularly subtle way: the second sentence maintains the “text” as agent, not an interpreter extrapolating what the text means. As a scheme of reported speech, the move between direct linear quotation and the rhetorical strategy of personifying texts as acting agents constructs the “objective” authority of a legal interpretation, in which the reported message seems uninfluenced and unshaped by an interpretive context.

### **The Propagation of the Linear Scheme: In Discrimination Suit Letters and Public Statements**

Variations of this scheme emerged in statements officials made in response to the hunger striker’s actions. Before officially going on hunger strike, the employee filed a

discrimination complaint with the institution's Office of Institutional Equity and Workplace Diversity. Administrators rejected the complaint, producing a written explanation that outlined the official interpretation of the relevant statutes and codes. After the initial rejection letter, the employee filed an appeal and received a second rejection letter. Both letters devote a full paragraph to the legal interpretation to summarize, in varying levels of detail, the main points of the internal legal memo. While there are no direct quotes of the legal statutes in either letter, they mimic the same scheme of reported speech found in the legal memo—neutrally describing first what a statute “says” and then ascribing agency to that statute as “doing” something to a person, institution, or agency.

For example, the first administrator writes that the State Insurance Code allows that a spouse can be a benefits-eligible dependent. However, in a flat explanation of what the statute “says,” the administrator writes: “The Texas Family Code, Sec. 3.401(5) is explicit that a same sex partner cannot be a ‘spouse’ in Texas.” The flat paraphrase is then followed by the sentence, “In other words, *state law explicitly prohibits*...state agencies from allowing a same sex marriage or civil union to establish the eligibility of a same sex partner to participate as a ‘dependent’” (*emphasis added*). Thus, the letter concludes, the institution is “bound by state law in providing benefits to its employees.” The legal interpretation is presented as what the text “does,” or “prohibits,” which is shown to be the logical outcome of flatly paraphrased statutes, what the law “explicitly” says. The institution is the object of passive voice, “bound” by texts that act upon it. In fact, the subtle shift in modes from flat paraphrase of what the text “says” to the more interpretive move of what the text “does” is framed not as active interpretation, but as a simple translation or rewording (“in other words”). The second letter follows the same pattern, although it is even briefer in its summary of the legal case. The second

administrator writes “Health insurance provision and definitions are codified in state statute. Thus, the state prohibits the solution you seek....” This paraphrase is more general, but accomplishes legal interpretation through the same basic scheme of reported speech as the more detailed explanations. In fact, as the authoritative scheme moves farther away from the primary text with each successive iteration, its projected authority seems to become even more entrenched, generalized, and impenetrable. The same scheme that was initially employed to produce a close textual justification grows broader, reinforcing authority in generalized paraphrase.

The recipient of these letters was unimpressed, however. After receiving the second letter, he immediately commenced a very public hunger strike that lasted for seven days and attracted local and national media attention. This action forced administrators to make additional statements about the pertinent legal statutes in televised media interviews where again they invoked a variation of the linear scheme to reinforce the authority of their interpretation. One administrator who was interviewed by television reporters provided a fair amount of detail: “The spouse definition that’s used in [the] Insurance Code section borrows that definition from the Family Code. That definition expressly excludes domestic partners. We’re bound by current law, and that’s what we have to follow.” Even in this verbal explanation, the administrator follows the same pattern of describing the relationship between texts and then presenting those texts as clearly doing something (“expressly excludes”), which then sets the stage for the more generalized conclusion that the text-as-agent “binds” the institution from acting.

On one hand, this scheme seems like a reasonably transparent, careful, and even logical way to present a legal interpretation: present flat textual evidence of what pertinent texts “say,” demonstrate how those texts control each other, and then describe what those texts “do,” in terms of controlling what institutions may or may not do.

However, as a legal advocate for the group eventually points out (discussed in more detail below), there is a significant interpretive jump concealed within this scheme. Unless one is an expert, furthermore, it would be difficult to identify (and thus examine and deconstruct) the precise interpretive work required to get from point A to point B, from what texts say to what texts do. Plus, when we consider how the scheme is paraphrased across channels, where arguments become more and more generalized, we see how this scheme enables another “ventriloquism” of sorts. Writers and speakers can use this scheme to deepen the authority of their role in relaying information, even as they claim to play no active role at all.

#### **TALKING BACK SCHEME 1: INTERJECTING AGENCY**

The hunger striker had neither legal training nor experience with the administration of large public institutions. But he was determined to “talk back” to this legal argument nonetheless. After receiving the rejection letters and launching his hunger strike, he requested meetings with authors of the letters, demanding further explanation. In an interview, he characterized the basic gist of what he was told in a first meeting with the Vice President of Institutional Equity and Diversity, in what was (by his own account) a rather confrontational interaction: “There’s the state law. We have no power. Ta Da, Ta Da, Ta Da!” His rendering of the exchange mimics the linear scheme found in the legal and institutional documents, even mocking the dogmatic lock-step connection between the “existence” of text and the institution’s claim about that text’s power (and their resulting lack of agency). His gloss thus critiques the structure of the argument; but, as an administrative outsider, with no legal training, what counter-schemes are at his disposal to “talk back”?



In the same interview, the hunger striker explained his basic approach to interacting with administrators:

Well, [the administrator] said that she was not going to pursue my complaint. She said, “This is not going to be pursued because we have no remedy we can give you in any legal fashion.” Well, I see this issue as a very simple one, and to me, hiding behind the word of the law, it doesn’t interest me. If there is injustice, correct it, correct it now. I’m not going to wait for months or years of “looking into other options.” That what I was told: “We’re *looking* into other *options*.” “What options? When? How?” [in voice of administrators] “No no, we can’t talk about it.”

Invoking reported speech to rehash a prior conversation with one administrator, the hunger striker presents his basic approach to talking back to “the law”: first, perform the message in a similar linear style (“looking into other options”), then gloss that message by performing it verbatim, but with intonations of one’s own voice (putting mocking emphasis on “looking” and “options”), and then, from the blended voice in the gloss, derive a retort. The scheme he invokes in reported speech, in fact, is similar to the pattern the DPB writers use in the vignette that opens this chapter, in which one group member glosses what was likely a more complex prior conversation (into the simple phrase “the law”), and from there, several other writers conceive of retorts that work to interject the interlocutor’s agency and accountability back into the conversation.

In fact, both the hunger striker’s dialogue and the DPB group’s conversation in the opening vignette exemplify Volosinov’s concept of “active reception”: “first, the received utterance is framed within a context of factual commentary...(and) second a reply...is prepared. Both the preparation of the reply (internal retort) and the factual commentary are organically fused in the unity of active reception” (p. 118). In a sense, by staging performed dialogues, these speakers externalize the crucial middle step between factual commentary and retort: the moment when the factual commentary is rendered into

gloss, what Volosinov might describe as the moment of “unity” and “organic fusion,” when voices coexist and enable each other. In this moment of active reception, individuals seem to work to locate whatever means are available to break down the authoritative mechanisms of reported speech—in this case, a scheme that ascribes agency solely to texts. First, they flatly report the message in the linear style and then perform it in a more pictorial style, thereby transforming the authoritative message into something that can be commented upon and shaped. When the authoritative message is rendered pictorially, the speaker can identify an opportunity to interject one’s voice: what one can say in response. A viable role is identified when the speaker discovers the voice they possess to comment on or gloss the linear style. In this case, this actor protests the removal of institutional agency that occurs in the linear scheme by insisting on the agency of individuals (in phrases that repeatedly call for an individual to act “correct it, correct it now”) or in the case of the opening vignette, demanding to speak with a “lawyer” rather than “the law.”

In the case of the hunger striker’s exchange with administrators, he further explained in an interview that while he knew that administrators would likely not implement DPB as a result of his efforts, he was seeking some genuine expression of commitment. This gesture is what he “really” wanted, what he described as the “light behind all this” that would convince him to end his hunger strike. When he was told they were “looking into options,” he explained in an interview, he was thinking to himself:

What options are they really weighing? [in the voice of administrators] “Oh yeah, the University of Michigan.” “I sent this to you two weeks ago, and you’re still ‘looking into it?’ What are you really doing? I want to see some concrete commitment. Don’t tell me, when I mention Michigan, ‘Oh yeah, you emailed us that.’ I had to email you that? Who am I?....It’s your job. You’re in charge of [in a preening voice] *equity* and *diversity*.”

His staged conversation demands the same thing the DPB writers more playfully demand in the opening vignette: some proof, or even some acknowledgement, of potential agency among members of the administration. In this sense, as administrative outsiders, unfamiliar with the law, the retort they are able to articulate is essentially a reactive one. In other words, their process of active reception leads them to respond to a scheme of reported speech that denies agency and locates it in texts with a reactionary scheme that insists upon agency and locates it in people.

### **Limitations with the Agency Scheme**

The hunger striker's efforts were incredibly useful to the cause of DPB in many ways, but there are clear pitfalls with this particular scheme of active reception. In a second meeting with administrators, the hunger striker grew more confrontational in his attempts to locate agency within members of the institution. After being told again that the institution was "bound by state law," this time by the writer of the second letter, the Vice President of Diversity and Community Engagement (DDCE), the hunger striker challenged him in ways some people considered inappropriate. He asked the administrator, an African American man and one-time civil rights attorney, "If you had been driving the bus Rosa Parks was on, would you have made her sit in the back?" The administrator retorted that, as an African American, he would not have been driving the bus. But then he concluded that yes, he would have been an agent of the state and he would have enforced the law. Reporters were present in this meeting, and this exchange was picked up by newspapers and widely publicized.

In an informal meeting in which he discussed these events with two members of the DPB writing team, the VP of the DDCE openly confessed how frustrated he was by this exchange and how it touched upon some unresolved philosophical tensions at play in

the newly formed DDCE: the difference between an administrative agency that enforces existing policies by responding to claims and clarifying “what the law says” and a “self-initiating” agency that proactively changes and influences existing policies. The proper role of the new division was subject of heated debate in the institution; it was even considered a potentially explosive political question in a public institution located in the middle of a politically conservative state. In a sense, in terms of administrators’ daily work, this unresolved cultural tension forces them to choose between two different ways of conceptualizing their relationship to “the law”: to simply report, in a linear fashion, what the law “says” or to actively comment on, evaluate, and even influence institutional policies, thereby shaping new interpretations of “the law.” The VP explained that, while he was personally highly sympathetic to the cause of DPB, his current job was to “walk the line” between enforcing policy and changing it. The hunger striker’s agency scheme does not allow administrators to “walk this line”: the VP was forced to align himself with either Rosa Parks or the bus driver.

The DPB writers’ responses to this event were mixed—some writers understanding this tension and even sympathizing with the VP of the DDCE. For instance, the lawyer on the committee responded to the Rosa Parks incident saying, “Of course that’s what [the VP of the DDCE] said! That’s his job.” She further explained that the hunger striker backed the VP of the DDCE into a corner and forced him to choose between two roles that are difficult to straddle: between the policy enforcer who flatly reports what “the law says” and the civil rights attorney who would like to speak differently. While the lawyer on the DPB committee was certainly disappointed that the very person who should be the group’s strongest administrative ally did not send a stronger message of support, she also added that, if someone must inevitably be that bus driver in the Rosa Parks scenario, “I still want HIM [the VP of the DDCE] there. If he’s

the bus driver, I want *him* there so he can go to his boss and say, ‘I don’t think this is fair. I shouldn’t have to enforce this. Let’s change the policy.’ I want to believe that he sees the dichotomy.” Invoking scenarios of staged dialogue, the lawyer proposes the way to address the “dichotomy” the VP of the DDCE faces: to envision two distinct scenarios of staged dialogue, one with the bus driver who enforces policy adopting the linear style and one with a sympathetic agent working quietly behind the scenes, speaking in the first person, “I don’t think this is fair.” You can’t expect administrators to play both roles at once (at least publicly), the lawyer explained, as administrators’ official roles are “to enforce policy as it currently exists. They can’t say, ‘Oh and by the way, the left hand is working really closely to try to change these policies.’ They have to say, ‘this is the policy and we have to enforce it.’”

In an interview in which she characterized the first meeting with the hunger striker, the VP of Institutional Equity expressed similar frustration with the hunger striker’s tactics:

The part that is of frustration to me and others is the perception by him, and by others, that if the [institution] wanted to change it, they could change it. Without any understanding of the organizational and legal context in which this stuff happens. It’s like, we don’t care.

She further explained the organizational context, which she felt was “just as important if not MORE so than the legal stuff,” but which was not explained publicly: given how tied to the state legislature the institution was in terms of its funding, administrators would be highly unlikely to act independent of express legislative approval, “even if it legally could.” This administrator, who also claimed to be personally very supportive of the cause, explained that, because the hunger striker targeted the administrators so personally and directly, he seemed to expect them to act outside of, and even in spite of, their professional roles:

I felt like he wanted us to pull a George Wallace, who stood in the doorway of the University of Alabama and said, “We won’t let blacks in.” So, what I sensed is he wanted us to stand in the doorway of the main building and say, “We’re going to do domestic partnerships tomorrow.” Well, we can’t. We can’t because there’s a state law. We can’t because there’s an insurance code. Even if we had said, “Okay!” there’s just no way it would have happened as fast as he needed it to. But he didn’t want to listen to that. I don’t think [he] wanted to listen. I think [he] wanted to talk.

In this way, the attempt to interject agency back into the conversation, at least the way the hunger striker tries, leads to a stand-off of sorts between the two roles policy makers straddle: they either must adopt the linear role of flatly reporting “what the law says” or the activist stance of acting, independent agents, working in defiance of the law. They must choose between being the complicit bus driver or the defiant George Wallace. Although, an obvious problem with the second civil rights analogy is that the hunger striker was seeking equal treatment, not working to preserve segregation and inequality. No one invoked an historical example of the *actual role* the hunger striker wants institution members to play: the person willing to defy his or her official, institutional role when it is necessary to pursue progressive social change.

The problem with this reactionary, agency-based “talking back” scheme can be phrased in terms of reported speech: it does not allow administrators to move between the linear and pictorial styles, between the official report of what “the law” says, and their own personal orientation toward the law. In a sense, the hunger striker attempts to construct a role for his audience that his audience may not play (at least not publicly). Another way of evaluating the event, however, might describe this feature as the very strength of the hunger striker’s approach: he targets sympathetic administrators and makes them “uncomfortable” with the dichotomy they live—the dual-role between policy enforcing and policy making. Clearly, the hunger striker was seeking to provoke more than he was trying to persuade. It is also important to note that, while administrators and

even some members of the LGBT community felt ambivalent about the hunger striker's tactics (one DPB writer felt he used the "race card" in an inappropriate way), his scheme of disrupting authority was a reaction to the authoritative scheme deeply entrenched in the institution's own discourse. In other words, from the perspective of inventional role-play work, it is not surprising that when one side delivers an authoritative argument, while denying it has any authoritative role, the other side's logical response may be to resist the erasure of that role—to insist on its existence.

## **TALKING BACK SCHEME 2: THE LEGAL COUNTER-ARGUMENT**

Perhaps the most immediate benefit of the hunger strike was that it brought forward the legal resource the DPB writers had sought for so long. When the hunger strike brought media attention to the cause, Equality Texas, the state chapter of a national LGBT advocacy organization, eagerly agreed to offer legal counsel to the DPB group. Over the course of the weeks following the hunger strike and for the next several years, the DPB writers came to trust and work very closely with the Political Director of Equality Texas, an LGBT legislative lobbyist with years of practice in Administrative law and special expertise in rule-writing in large institutions. After studying the codes the administrators cited in their public statements, the Political Director was quickly able to locate a legal counter-argument and produce a white paper outlining how (and why) the institution could offer DPB. The gist of the new legal counter-argument was, in many ways, as reactionary to the institution's own discourse as the hunger striker's agency scheme. But this time, it came with a more complicated articulation of institutional agency. In other words, while the hunger striker illustrated a "talking back" strategy available to someone outside the realm of authoritative discourse, the Political Director's "talking back" strategy illustrates what an *expert* outsider may do (that is, the Political

Director was a trained lawyer, familiar with administrative law; however, he was also an activist working outside the institution).

In an interview, the Political Director recounted what he did to produce a counter-argument to the institution's staunch interpretation of the law. When asked how he knew what to do, he replied:

17 years of administrative law practice. I know where the bodies are buried sometimes....The first thing you do is always ask them questions. In response to the hunger strike, they came out and said, you know, "We don't have the authority to offer this." I called and said, "Well, what statutes are in the way?" You normally talk to some clerk. You never say, "Show me the memo that says you can't do this," because that's privileged information. Normally they'll only say, "These are the statutes we relied upon." So I looked at those statutes. And as I did, I thought, "That's kind of wimpy."

Later, the Political Director was indeed given access to the legal memo that was the source of the institution's interpretation. In an interview, the Political Director further explained what was "wimpy" about this interpretation, reading from the memo and pointing to specific passages:

Here is the fallacy. They go from, [pointing] "Can we provide in-group benefits to same sex partners...?" and they go down here [pointing] to "there is a definition of spouse" and here [pointing] it "prohibits the state from recognizing same sex partnerships." So, we're bound. Well, these are not the same questions. This is: "Can we give you benefits?" This is: "Can we recognize the marriages?" Well, no, they can't recognize the marriages! That's damn clear! But can they give benefits? That's a different question. That's when I knew this was pedestrian interpretation.

Intuitively honing in on the very location of the linear scheme's interpretive move (the move from flat quote, to assertion of what the text *does*), the Political Director becomes suspicious that a "body is hidden." His evaluation of the move, that this was "wimpy," "pedestrian" interpretation, eventually inspires his retort.

It all depends on how you ask the question. So, they answer the question, "we can only offer it to dependents, and dependents can only be spouses, and then a



spouse can only be opposite sex.” Well, that’s bullshit! “You can offer benefits to whomever you want.”

The Political Director took a closer look at the codes and discovered that, while there was indeed a clear prohibitive restriction on redefining “Spouse” in the Family Code, there was no such prohibitive exclusion on who may be a “Dependent” in the Insurance Code. While the institution’s linear scheme made it seem the law dictated precisely what definitions of “Dependent” could be used, the Political Director claimed that the cross reference to the Insurance code was meant to be *expansive* rather than *restrictive*—a “floor” determining who the institution was required to provide benefits to, not a “ceiling” limiting who could be offered benefits. That this provision is expansive rather than restrictive is precisely what’s hidden in the legal memo’s articulation of the relationship between cross-referenced texts, and the interpretation of what this cross-reference necessarily “does.”

The talking-back scheme the Political Director invokes in this interview is similar to the hunger striker’s agency scheme, but with a higher degree of specificity afforded by expert legal training and experience. He begins by factually “reporting” what the texts say—the first step of active reception. His gloss then selects the key moves of the legal interpretation—stripping the basic interpretive move to its bare bones (similar to, but with more explanatory detail than the hunger striker’s mere engagement of form: “Ta Da! Ta Da! Ta Da!”). Based on this selective gloss, he ultimately identifies the legal memo’s basic interpretive move, which he evaluates as “bullshit.” And after performing this selective gloss and evaluation, the Political Director similarly produces a somewhat reactionary retort, addressing the personified institution and interjecting clear, unmitigated agency into the exchange (“You can offer benefits to whomever you want!”) While this retort demonstrates the gist of his inspiration, a similar “a-ha” moment that

authorized his subsequent invention, what he does next departs from the hunger striker's agency scheme.

### **Interjecting a More Complex Textual Agency**

Inspired by his realization that the given legal interpretation was “wimpy,” the Political Director dug deeper into the codes cited in the legal memo where he found more “buried bodies.” He learned that the state Insurance Code, for instance, grants the institution broad rule-making authority to define any terms that are necessary to administer its own insurance plans. Furthermore, in several places in the same code, the institution is required to offer insurance benefit plans competitive with the industry standard (the standard in both private and public institutions being to offer DPB). In a sense, his active reception of the legal argument started as a reactionary retort that interjected a simplistic kind of agency, but next he transformed this retort into a more substantive argument that located agency not in people, but in texts.

#### ***A Conflict of Laws, a Hybrid Authority***

In the interview, the Political Director continued to explain what these “buried bodies” meant. On one hand, the administration already had the authority to write its own rules and revise its Insurance code. On the other, the administration was required to be competitive in its offerings. He reconstructs institutional agency as a relationship between texts (similar to how the institution justifies its lack of agency in the original legal memo). In this case, one text grants expansive rule-writing authority; the other mandates some form of action. As the Political Director explains:

The new line of code would essentially say, I could think of several ways to do it....The sneakiest way to do it would be to say something like “[the institution] may offer benefits to other qualified individuals.” And that “may” is nice and permissive. But then you read that in light of the other statutes, that they have to

be competitive, and it becomes a mandatory. “However, everyone else is offering competitive benefits, and so must the institution.”

As he works to interject a nuanced kind of institutional agency back into the conversation, the Political Director constructs a scheme that blends the linear and pictorial styles: rather than foregrounding the “mandate” of “what the law says,” he would instead foreground the expansionary authority of what the institution “may” do if it so desired—the openness and flexibility that allows room for interpretation. However, his talking-back scheme then couples this “sneaky,” “permissive” authority with a clear “mandate.” As he explained, “first you convince them they can do it, then you tell them they have to.” Besides, he explained, “rule-making always makes administrators happy....what institution ever argued to limit its own authority?”

This talking-back scheme thus blends pictorial renderings of an open and flexible “ability” with a more linear interpretation of what the legal mandate “says.” This hybrid construction of institutional agency emerges in the lawyer’s written argument as well. The white paper he produced for the DPB working group opens by announcing, “There is an apparent conflict of laws.” Then, without referencing the institution’s legal interpretation directly, the white paper simply points to other statutes that “exist” that outline a different understanding of the institution’s ability to act (other than the “our hands are tied” interpretation of the legal memo). Similar to the institution’s legal memo, the Political Director’s white paper is thus dominated by several direct linear quotes that neutrally demonstrate what the law “states”—flatly reported evidence that a “conflict” exists. In contrast with the institution’s legal memo, however, there is only one sentence in the entire memo where the direct quotation of a statute is followed by a sentence in which the law is personified with an action verb, thus shown to be “doing” something.

This sentence occurs toward the end of the memo, after most of the direct quotation is complete:

Most importantly, this section *grants* to the systems not just the mandate, but the authority to offer competitive compensation packages. This authority may be combined with that to define new terms in section 1601.007, and the systems' rulemaking authority granted in section 1601.052 to offer benefit programs that go beyond the basic outlines and any limitations outlined in the chapter to reach the mandate of offering competitive compensation package. There is very little room for the Systems to argue that they have any leeway in this matter.

Perhaps because the Political Director intuitively feels the rhetorical power of a sentence structure in which the law "does" something, it is reserved for the "most important" culminating argument of the white paper: the text *grants*, and what it grants is not just mandate, but authority. He thus reserves this culminating rhetorical move for the moment in the white paper where he proposes an alternative version of the institution's agency: as a hybrid role between "mandate" and permissive "authority." Interestingly, the legal strategy to construct the institution's agency integrates the discrete roles that emerged in the DPB writers' early role-play work. The legal "mandate to be competitive" blends the activist voice of, "do it!" with the "business case" of finding ways to benefit the institution. Similarly, the expansive rule-writing authority demonstrates a synergy between the lawyer's technical approach to constructing authority and the skeptic's voice of "it's your job, now go do it."

### ***A Problem, Solution, Question, and Statement***

Up to this point, much of the complex role-play work that has emerged deals with constructions of the *institution's* role and the role of agents speaking on behalf of that institution (such as the VP of the DDCE). In contrast, in his interviews in which he described his interactions with authorities, the hunger striker did not spend a lot of time negotiating or complicating his role. The part he was to play was clear to him. Similarly,

role-play work was not prominent in the invention process the Political Director described: it was clear to him that he should “find the buried bodies” and then offer up an authoritative counter-argument derived from his years of experience with Administrative law.

In the context of the hunger strike event, more complex role-play work emerges for the role of *speakers* when the DPB writers and the Political Director began to strategize how to deliver the legal argument to the institution. Just as the Political Director translates the “simple” interjection of authority from his retort (“you can do anything you want!”) into a more nuanced and strategic hybrid of legal authorities in his writing, he explains to the DPB writers that the “clear legal solution” would have to be framed very strategically when presented to administrators. For instance, when the Political Director considers the “barriers” in place in the legal memo, he blurts out that the institution’s interpretation is “bullshit” and later that it is “pedestrian” interpretation. However, he opens his white paper acknowledging that there is a “conflict of laws” that currently hampers the institution. The conflict is that the institution has a mandate requiring it be competitive with the increasingly standard practice of peer institutions and private employers offering DPB, but also seems restricted in the benefits it may offer. Thus, the lawyer does not debunk the institution’s interpretation directly in his formal written work, but rather acknowledges that this interpretation exists and uses it to construct an exigency—the problem, the conflict. His legal argument then presents a way “out” of the conflict. The memo demonstrates the “resolution” of the conflict: an alternative interpretation of the list of approved beneficiaries, not as a “ceiling” but a “floor.”

As carefully as the legal interpretation is framed in the written white paper, an even more delicate process is figuring out how to frame it conversationally, that is, when

the group actually meets with administrators and describes their interpretation. The Political Director came to one of the DPB writer's weekly meetings to give them some pointers. First of all, he explained to the group what he found should be described as a *potential* answer—a conflict embedded in the statute, something “they haven’t discussed.” He frames the legal argument as part question (“did you know about this?”), part statement, and part invitation to open up a conversation. He advised the group to “approach the administration and say, ‘Look, we understand there may be some official position that is a legal position, but we understand that there might be another way around it.’” He further modeled how his legal argument should be framed in staged dialogue:

Political Director: Well, [in the past, the institution has] been told the statute is in the way, but they haven’t been told, “Has somebody discussed the conflict of laws, the comparable benefits requirements?”

Li: Well, I mean it really is, it just comes down to, nobody has said, “How can we do it?” People have just been, “Can we do it?... No? Okay we can’t do it.”

Ly: No, they’ve been asking that, but there’s never been an answer. Now there’s an answer. And so you’re giving us an answer."

Describing what’s distinctive about this strategy—“what they haven’t been told”—the Political Director frames an instance of reported speech that looks like it will be a declarative statement and then switches modes to offer up this statement as a question (“has anyone discussed?”). Both his written and conversational framings of the legal interpretation position the argument somewhere between a challenge and authoritative statement (them being “told” what the law says) and a request for genuine dialogue and new interpretation (new information, a question). While his invention is sparked by a clear, simplistic retort (“You can do anything you want!”), the Political Director’s disciplinary and institution literacy has trained him to produce (1) a highly complex

articulation of institutional authority (as a hybrid between mandate and authority); (2) a carefully framed written introduction of a new legal interpretation within a larger institutional context (as a conflict of laws and a solution to conflict); and (3) tentative, nuanced conversational framings which offer up challenges as questions and new information for consideration. He models the new authoritative role the group should assume, in the midst of all this complex framing: to not necessarily give a clear “answer,” but to convince the institution of the group’s ability to bring new, legitimate information to a discussion and help the institution resolve a “conflict” in its existing policies.

### **TALKING BACK SCHEME 3: “LIVING THAT CONFLICT”**

As noted above, during the events of the hunger strike, the VP of the DDCE remarked on the conflict between two administrative roles: being the person who simply enforces policies as interpreted versus the agent who actively interprets and even works to change policies. For him, his job was to “walk the line” between the two roles, but he could not enact them simultaneously (at least, not while the public was watching). Another actor in this story described this same tension; however, his approach to resolving it was different. During the events of hunger strike and the production of the new legal argument, the Vice President of Human Resources met with the group members to offer them advice about the role and purpose of their report. The Vice President of Human Resources was both a trained lawyer and administrative insider. He had successfully worked with state legislations to secure DPB plans at other institutions in the past. In other words, the roles he devises as he imagines the group “talking back” to the law are examples of what an *expert insider* might do.

The Vice President of Human Resources was privy to the legal interpretation the institution had adopted, articulated in what he referred to as “that tired old legal memo.”

The group also shared the new legal counter-argument devised by the Political Director of Equality Texas with him. While he encouraged the group to consider this legal argument as a possible “option” as they continued to write their report, like other administrative insiders, he sensed a near insurmountable reluctance among members of the institution. Even if administrators could be convinced that the law could be interpreted as granting them legal authority, they were unlikely to act without express permission from the legislature. To the VP of HR, the Political Director’s argument was “exciting,” “wildly creative,” and potentially viable, but ultimately unlikely to work.

In the wake of the events of the hunger strike, the VP of HR thus suggested another kind of talking back scheme for the DPB writers, not so much in lieu of the legal argument, but as a complement to it. This scheme was inspired by his own expertise as a seasoned policy-maker. While some administrators described the split between their roles—between the person required to use the straight, linear style and report “what the law says” and the person who desired to evaluate and influence existing policy—the VP of Human Resources described his role as getting comfortable “living that conflict.” For him, this meant more than acknowledging the “dichotomy” between the two roles—between being “the bus driver” or George Wallace—or enacting distinct roles in different settings. Instead, he tried to maintain a constant awareness of the tension, “living it,” and using it to continuously inform his own strategic thinking.

When asked to reflect on the events of the hunger strike in an interview, the Vice President of Human Resources expressed a variety of views. He said that part of him “heard about [the hunger strike] and said, ‘Well, all right!’” But, another part of him also explained that he understood why other administrators responded the way they did—why they had to seem somewhat “cold” and “bureaucratic” in their explanations of the law.



Still, another part of him also felt, however, that these administrators missed the greater symbolic opportunity the occasion presented:

To me there's a point of at least showing a symbolic act of, "We agree this is not right." And to take a stand on it at least philosophically, even though we don't have the legal authority. That might have been huge! They should have said, "We don't agree with this. We don't agree that this shouldn't be offered but it is not something we have the power to offer, that is set ...by the state, by the legislature." You know, to come out and acknowledge the unfairness...

If it had been him, he explained, he would have tried to play both roles simultaneously: the agent of the state, reporting a law he was powerless to change, and the subjective evaluator of policies who could comment upon and evaluate them from the outside.

He continued that, to him, the role of an HR administrator was to constantly "live that conflict": between reporter or enforcer of "the law" and individualized speaker commenting on and influencing it—to shape policies so they are most beneficial for the workforce he represents. This balance was such a key part of his job, he expounded at length on the kinds of strategic thinking he engaged in while working to move policy initiatives forward. Part of this strategy was to think about how colleagues and fellow policy-makers had to "live that conflict":

You want to leave room for the leaders of this issue, maneuvering leaders, and if you back some in a corner, making them say, "We don't have the authority to do this." My gosh! You know, they've just now publicly said something that might make it more challenging if they try to get that authority. But yet you want to nudge enough so that action is taken. Therein is the balancing act that we live.

He sees his work as a policy administrator, then, as taking into consideration the way others are bound to speak and act, to give them "room," while also holding them accountable. Giving administrators "room," in a sense, avoids forcing officials from adopting the standard authoritative, linear discourse, perhaps giving them space to think,

act, and speak more pictorially. It also means not projecting roles onto audiences he knows they will simply not assume.

***“Listening to the Institution”***

This VP of HR was generous in offering his advice to the DPB writers. In the wake of the events of the hunger strike and the new legal argument, he came to one of the DPB writer’s regular meetings to give them some frank advice about how they might reevaluate their current efforts. One piece of advice was for the group to abandon a climate survey they had been working on for several weeks. The original plan had been to survey members of the institution and collect data about how people were impacted by the current lack of DPB. Before the hunger strike, the VP of HR had supported this idea enthusiastically. However, he now explained to the group that he had “heard” some concern among his peers:

Here was the reaction in certain circles that I heard: "Well, if [the survey] looks like it is something that an official office is doing, then it kind of heralds that [DPB] as something that could actually happen. I mean that is going to happen in the legislature. Will that make it a target?"

In reported speech, the administrator recounts conversations he was privy to in order to warn the group about likely responses to too “official-looking” a survey. If the group’s efforts come to look too authoritative, as if they are working on behalf of the institution, especially in the wake of the media attention the hunger strike attracted, they could inadvertently inspire legislative counteraction—even preemptive acts that could make it more difficult to get DPB.

As the administrator continued to explain why he felt the climate survey was a bad idea, his talk started to take the form of a lesson, one that outlines the pattern of the active reception scheme central to his own work as a policy-maker. He invokes reported

speech to perform the “internal dialogue” of how he himself came to be persuaded by his seniors that the climate survey was a bad idea and then begins invoking conditional hypothetical speech to describe how he began to anticipate what members of the legislature might think or say:

So, at some level, as I heard that, I kinda thought “Could the survey spark something where people could be getting the heads-up that this is coming?” And not that you could get this through under the cover of darkness in the legislature, but do you want to herald it? And so you want to listen to that. I left well, “Okay, I kind of get it at some level.” ...and I said, “Ultimately, it's not about the survey, it's about what's the best strategy to give us the best chance of getting [DPB] out of this.” And with my experience, if we don't do it right, certain legislators may lay off of it for a decade or more. You know, they'll say, “Well, we just tried that.” So, you do want to be thoughtful, and I think that, I want to listen to people... and I would encourage the group to do that too, to listen to: “Well, is that part of our strategy?”

He presents the group a scheme of “listening” to the institution, which he himself models: hearing what others say, which shapes one’s own internal deliberations, where these external messages are weighed as potential questions. Most importantly, this ability greatly improves one’s ability to anticipate and potentially structure future conversations—in his “lesson,” what members of the legislature seem likely to think or say. His lesson asks the DPB writers to also try to “listen to the institution” in order to appreciate how others must “live that conflict.” Their best strategy should accommodate the roles administrators are forced to assume, rather than confront them.

### **The Stance of Insistent Partnership**

With all this “listening,” the question arises, if we apply Volosinov’s framework of active reception to this administrator’s “lesson”: what form does the “retort” eventually take after all this sustained deliberation? How does “listening to the institution” enable one to “talk back” at all? What counter-schemes of institutional

agency does one construct when one is trying to “live that conflict”? Continuing his “lesson,” the administrator seems to model this retort as he counsels the group how to handle future conversations with top administrators, especially given the recent events of the hunger strike:

Go into it with a sense of partnership. “Do you support this? How can we support you to support us?” and “What’s your advice and what were you thinking and here’s our report that might give you the arguments as you make it.” You can say, “I don’t think there’s anyone who’s not supportive of this, but still you have to have the research when you go up against those who oppose it.”

The VP of HR’s lesson models a role from which he best believes the group should speak, one that assumes a hybrid of institutional agency, similar in its complexity to the lawyer’s combination of linear mandate with pictorial authority. He models something like an “insistent partnership” for the group, an inherently dialogic stance that alternates repeatedly between questions and statements, between “you” and “we,” between “your advice” and “our suggestions.” In comparison with the hunger striker’s approach, this sustained dialogue may seem overtly compliant and acquiescent; however, in this back-and-forth exchange, the VP of HR assumes the group can intervene in the standard authoritative scheme of reported speech “it’s the law, we have no power.” Or, perhaps more accurately, the group works to participate in the construction of the reported message. In the spirit of “partnership,” the report should be designed to supply content other officials will use when they must speak publicly on the issue. In this stance of “insistent partnership,” furthermore, the group gets the chance to ask assertive questions, which he also models for the group using hypothetical speech: “I’d ask them, ‘if not now, when?’ and not ‘do you support this?’ but ‘what are you going to do about it?’” In a complex “lesson,” the administrator performs role-play work of “living that conflict”: to acknowledge the dynamism of official, linear speech, to build the opportunities for more

personalized interpretations and even participation in constructing the reported message, and to sustain an active back-and-forth deliberation between these two modes. If the hunger striker's scheme works to locate agency in people, and the Political Director's constructs a nuanced, technical agency in texts, the VP of HR constructs an agency that migrates between texts and people—intervening and shaping in the reported message by developing an ongoing dialogue with the person in charge of reporting the message.

In its primary concern to “give leaders maneuvering room,” this approach to institutional change thus seems the exact opposite of the hunger striker's approach. The V.P. of HR counsels the group to explicitly avoid forcing administrators to take a public stance—which would make them speak in their official, linear style—until the group has clear assurances of the administrators' personal support of the policy. This means waiting. And being patient. However, the DPB writers never worried that the administrator had something other than their best interests in mind, as he based this strategy of waiting “to go public” on his experience with DPB over several years. In fact, even the initially “skeptical” writer from chapter 3 (who had been unsure about the real commitment of this administrator before meeting him for the first time), was impressed and sensed the legitimacy of this “lesson,” partially because she was so pleased to have such a strong, experienced ally on the inside. The VP of HR's professional experience has been in anticipating how policy makers in larger institutions must anticipate the thinking of the state legislature, as he recounts in an interview:

Timing is everything. You don't want to go out and not have reasonable assurances that you've got support beyond individual members of the legislature. Because once we go, and it's shot down, people won't want to touch it again for quite a while. They'll say, “Didn't we just deal with that last session? Or 2 sessions, 3 sessions ago?” Well, before you know it, that is 6, 8, 10 years ago. So, that will also embolden those that oppose it. You know, “We killed it once, we'll kill it again.” All of this [the DPB writers' work and his work behind the scenes],

in my view, hopefully at some point will create that tipping point where people will really say, “You know! This is really a no-brainer. Let’s just do it.” You know, they’ll be ready to take the risk when it feels right.

The VP of HR thus bases his advice on the expertise he has gleaned during years of “listening to the institution,” where the pertinent institution is not just the immediate one that employs them, but the state legislature as well. In this scheme, initiatives should not be publicly addressed and will not be successfully moved forward until they are already a “no-brainer” to people in positions of authority. While clearly informed by his seasoned expertise as a policy-maker, to people like the hunger striker, this stance sounds awfully close to patiently waiting for a cultural shift, for “people to come around,” and finally agree to something that, in the hunger striker’s words, seems so “simple” as identifying a clear case of injustice and “correcting it now.”

## CONCLUSION

In the previous chapter, working outside institutional authority required the DPB writers to imagine what might be authoritative. In their early role-play work, they projected versions of themselves and their audiences to try to figure this out. The group’s early inventive work required them to imaginatively co-construct constraints so they could identify what seemed like informed responses to these constraints. The narrative of this chapter depicts a different process: where the constraints of a rhetorical situation are *clearly* outlined and where rhetorical invention is not so much to imagine what might be authoritative as to respond to a given version of authority-as-articulated. In this story, authority is constructed through a powerful scheme of reported speech, which transforms the mere statement of a text’s existence into a statement about what texts do (and as a consequence, what actors and institutions may do). The actors in this story, either intuitively or by virtue of their technical training and professional experience, demonstrate different degrees of awareness of the precise mechanism of the authoritative

scheme. The various “talking back” strategies individuals derive thus reveal more than different strategies individuals choose to interact with the institution. Each talking back strategy also reveals how well each individual can resist an authoritative utterance by pinpointing the relationship between texts and actors and then substantively reconfiguring that relationship. This chapter illustrates a different kind of role-play work, in which individuals detect the textual mechanics that produced the original institutional role and then engage in inventional work to counter that role. Not surprisingly, each counter-role suggests a different understanding of institutional agency—some of which are more congruent with the understanding administrators themselves hold.

While this pattern is certainly related to the particular argument being debated in this case—that of contending versions of institutional agency—we can question how this process extends to other rhetorical contexts as well. In cases where rhetorical invention takes the form of active reception of authority-as-articulated, we can ask questions such as: what interpretive work is hidden within linear schemes in authoritative utterances, what the Political Director jokingly referred to as “where the bodies are buried”? As is argued in chapter 3, a defining characteristic of authoritative discourse is its capacity to control and limit the scope of future conversations. In terms of active reception, this observation raises the question: how does the original authoritative scheme constrain the range of possibilities available to authors to inject pictorial commentary, especially when they are working to change this discourse from the outside? In other words, what literacies are required to detect the hidden interpretive work that moves the linear scheme from point A to point B? And, how are certain counter-schemes already embedded within the authoritative utterance that may be somewhat limiting? For example, in the case of the hunger striker, the institution’s staunch denial of agency leaves him with little recourse other than to simply demand agency (which leaves him with a role that may

have unintended consequences and disadvantages, as he looks simplistic, unrealistic, “unwilling to listen,” to be written off as technically naïve).

Finally, in tracing these different schemes of “talking back,” this chapter may seem to imply that the latter approaches (the legal scheme of hybrid authority and the dialogic stance of insistent partnership) are somehow superior because they are more temperate and more complex. However, it’s true that the actors devised different schemes of active reception not just because of varying degrees of political literacy, but also because they had different rhetorical purposes. After all, contrasting schemes can complement and rely on each other. After the events of the hunger strike subsided, the group summed up their sentiments about the whole thing using an activist cliché: for social change to happen, “you need people in and people out.” If his purpose was to provoke—more specifically—to make administrators uncomfortable as they “straddle the line” between policy making and policy enforcing, the hunger striker was actually quite effective. The VP of the DDCE confessed in a meeting with legal advocates, other members of the administration, and a few members of the DPB group that he was personally very excited about the potential legal argument that had emerged as he never wanted to be “in that position” again. The DPB writers did regret, however, they did not coordinate with the hunger striker more. As one DPB writer explained in an interview, if the administration did not respond to their report, they could have asked him to launch the hunger strike *then*, possibly with other activists joining in a unified movement.

In terms of the efficacy of these different schemes, it could also be argued that the two more complex talking back schemes are limited precisely because they are so expert. The complex roles presented to the DPB writers—that of bringing new legal information to the conversation (from the Political Director), and that of “insistent partnership” (from the VP of HR)—which are both modeled for the group as staged conversations, might be



difficult to “translate” into actual written arguments. As will be discussed in the next chapter, the group’s new access to more authoritative roles requires more work to understand how to produce coherent arguments from within them.

## **“Can I Just Play Out Loud with My Words?”; Role-Play Work and the Nuance of Authority**

Things have gone back to normal after the events of the hunger strike, and the group has been working steadily on their proposal, meeting every other week, and sometimes every week. They are nearing the home stretch; the meeting in which they’ll present their report to administrators is only a few weeks away. But there are still lots of little details left to decide. One is the placement of two selected pull-quotes.

The group found two statements in which a top administrator extols the importance of diversity in the institution. The group bases many of the report’s arguments on this institutional “core value,” so they reason that in these pull-quotes, the administrator makes the case for them.

But the Chair of the committee worries that it’s a bad idea to arrange the pull-quotes as they currently are, side-by-side on the first page of the report. “It seemed like we were kind of putting it in [his] face,” she explains, shifting into a bratty tone: “See YOU said this. Oh! And you said this AGAIN.”

Others disagree. One sees the strategy as appropriate because it “throws his words back to him and says ‘act on the shit that [you say].’” Another adds, “In his face!” A third laughs, “Yeah, slaps him in the ass!”

But, another committee member agrees with the first concern, saying the placement of the pull-quotes could be “problematic for that very reason.” “Yeah,” the Chair of the committee says, “He could say, ‘I mean diversity, I don’t mean the queers.’”

The months following the hunger strike were a period of relative calm for the DPB writers. They marveled at the whirlwind events of the past several weeks and remarked how strange it felt that, after all the fuss, the hunger strike was no more than a “flash in the pan.” It was time for the group to return to the mundane work of gathering budget calculations and deciding where to place pull-quotes. The group would now enjoy a highly efficient period of collaboration, quickly filling in all the sections of a 90-page document. Notably, many of the challenges the group confronted before, which contributed to their early indecision about the role of the report, were gone. The writers

shared compatible (if not identical) assumptions about what they can best hope to achieve with the report. The group no longer had to try to anticipate the institution's position or "work in the dark" to locate a viable legal argument. They now had access to the details of the institution's legal position and had witnessed how this argument would be paraphrased as it was made public and how even administrative allies would have to talk about the issue when they were speaking from within their official roles. The group also now had a technical legal counter-argument of their own, provided by the Political Director of Equality Texas. What the institution considers "authoritative" and what the group can say in response—with some degree of authority—is clearer.

While these developments would seem to make the group's work more straightforward, other aspects made their writing task even more complex than before—in particular, the need to balance various roles within the somewhat ambiguous stance of "insistent partnership." As discussed in chapter 4, the group received advice that they should present themselves as an "official" advisory group to provide special advice around issues pertinent to LGBT employees. However, the group was also advised that their efforts should not look "too official"; they should not appear to be working on behalf of the institution (as their work might appear like an official initiative, as in the case of conducting an "official" climate survey). If the group's efforts look too "official," this appearance might inspire counter-measures in the institution or even in the state legislature. Similarly, the group's report should project the authority of their new, expert legal interpretation, but frame that legal argument somewhere between a "question" and an "answer." They should consider themselves "offering up new information," something to add to the conversation, which might be useful to administrators. While the DPB group members are encouraged to insist on action, they should also express support for upper administrators and the "balancing act" they had to

perform between their roles as policy enforcers versus policy changers. Thus, while the group certainly benefited from the new information that came to light as a result of the hunger strike and the involvement of the Political Director and other administrators, they now confront the challenge of assuming a very nuanced role. It's no surprise that such a complex role requires additional conversational work to enact in writing.

As this chapter will illustrate, the group figured out how to produce arguments from within this nuanced role by, again, relying on hypothetical speech. In fact, this form of role-play work remained as central to the group's process as it was in their early stages of writing. However, later on, the nature of the group's role-play work changes. In the vignette that opens this chapter, for instance, the group invokes hypothetical speech to debate a particular pull-quote strategy. As they debate different strategies, their talk shifts into an informal register in which they align themselves with or distance themselves from the message they are proposing to send. One writer mocks the message in a bratty tone, demonstrating how the group's words might "sound" to others. But other writers aren't convinced and offer up playful statements that reinforce the original message (although they would never technically "slap [an official] in the ass"). The first writer then counters by staging the leveling retort the administrator could offer ("I don't mean the queers"). This last performance indexes the difference between the group and their audience by introducing "queer" as a pejorative term (versus the positive way the group more often used it). Although administrators would never respond this way in any formal conversation, this writer's performance reminds the other committee members that administrators likely have an informal register of their own, one that might be homophobic.

Clearly, none of these performances aim to represent a "real" dialogue that would occur in an actual exchange with administrators. The writers conjure up a parallel realm

of imagined discourse to help them test out ideas. Their role-play work creates an alternate inventional mode in which writers purposefully render exchanges in playful and overacted ways, exaggerating the gist of messages to glimpse the possible, unspoken subtexts beneath official discourse. The writers also rapidly switch between voices, personas, and positions, indexing and juxtaposing all the underlying voices in the exchange. In a back-and-forth dance between one possible frame of interpretation to the next, they also engage and reframe each other's performances. Each successive turn strategically "misreads" the previous statement, as group members transform the "bratty" tone into adamant and demanding, the demanding tone into overarching "for that very reason."

The group certainly performed hypothetical speech in the guise of authorities and staged exaggerated dialogues in the earlier stages of their work (as is explored in chapter 3). However, later in their collaboration, the nature of their role-play work is different. The writers assume roles less to personify their perspectives they "own" and feel invested in (the "skeptic" versus the "lawyer"). Later in their work, the writers' role-play work included assuming transient roles to simply test out an idea, explore a stance, or to be sure to interject a potential voice or perspective they feel is missing from a conversation. The dialogues allow group members to explore which arguments might be unreliable as arguments are appropriated from one context to another, potentially exposing them or undermining their cause in unintended and undesirable ways. Later in the collaborative process, hypothetical speech is less a vehicle for "group becoming" and the difficult work of managing group members' ambivalence and more like a mastered heuristic device. This device becomes especially useful as the group tries to make sense of their changed access to authoritative discourse.

In order to anchor this general observation in a rough quantitative overview of the data, episodes of data were coded based on the nature of role-play work: one group included conversations dominated by mainly “invested” role-play work, another consisted of conversations dominated by “un-invested” role-play work, and a third category consisted of conversations in which both modes of role-play were present. Characterizing an episode of role-play work as “invested” versus “un-invested” is clearly a subjective call—but episodes did clearly differ in whether writers were assuming roles they felt deeply committed to—ones that reflected their personal stance—versus roles they assumed for the purpose of accomplishing the writing task at hand. The vignette that opens this chapter offers one episode of role-play work that would be coded as “un-invested,” because the group members do not feel like they are representing “their view” or “their opinion” in assuming a role, but rather are performing others’ opinions or tentatively throwing in a possible argument for the purpose of brainstorming. The following is another example of a collaborative brainstorm session in which role-play work would be coded as “un-invested.” In this example, the writer tries to accomplish the work of producing arguments from within the complex stance of “insistent partnership.”

Ly: Okay, I’m making this up now, I am talking to think. We need to say to him “we have research that backs up it is deeply affecting recruitment and retention. It is an equity issue and here’s an example. It is negatively affecting the message of diversity, and here are our recommendations.”

Ix: Oh, and we believe it is possible to happen.

Ly: Oh that piece.

Ga: People have done it, that’s why we believe it is possible.

Sa: And we want to help you.

Ly: Right, the research says that we need to do it, for competitive reasons, we’ve now found a way to do it....we have a sense that you are in support of this idea

and we wanted to give you some sense of how, you know, ways that we could really pull this off.

In this conversation, the writers do not evince discrete roles they feel personally invested in; rather, as they offer up ideas, they contribute various “pieces” to construct the composite role they are trying to assume.

In contrast to this “un-invested” role-play work, episodes of “invested” role-play were dominated by performances in which the writers were forwarding roles they felt personally invested in (as in the episode that is the “pivotal” conversation in which the group reaches consensus, discussed in chapter 3).

Ga: I think that there is a difference because we have people that are at the higher ups. That are saying “Oh, for me to do this, I need this information. I need this information.” And we’re like “Okay, we’re going to get you that information.” Instead of “Here, we’ve put all this stuff together now and we want you to look at it,” and they’re like “Naw, I don’t want to look at it.”

Li: Right, yeah, that is a difference.

Ga: But I will be the first person out there with a sign and calling the media if we go...

Ly: Play by the rules

Ga: Do the chain of command, do all that, and then they ignore us, I’ll be like, “That’s it!”

Sa: I’ll be next to you.

Ga: Or if they say, “This isn’t the time, we have a Republican da da da.”

Ly: Yeah, like “Too bad so sad.”

In their performances, writers index the personal perspective—what they find “internally persuasive” about the role they are proposing. Similarly, episodes where group members talk frankly about “how I feel,” or “what I have a problem with,” or invoke other

statements that express personal sentiments toward an argument they are performing would be coded as “invested.”

While some conversations were dominated by either one mode or another of role-play work, there were also conversations in which some writers were invested and others were not—as well as episodes in which writers *become* invested in order to make a clear point. For example, in the following episode (which occurred in the later writing process), one writer clarifies the intent behind what she wrote by describing the “lens” that guides her thinking—and she performs this role in a voice that reveals personal ownership.

Ly: [Reading out loud from a draft of the report]: "In such cases, universities have lived up to their own highest ideal of leadership, integrity."

Ga: If “lived up to” is too...whatever...you can always take that and say “chosen.”

Ly: I don't want someone to infer that we're saying, "You're not living up to your own standard."

Ga: But we are.

Ka: My lens for all of this is simply: “‘What starts here changes the world.’ You're not doing it. And Michigan has a very similar lofty thing, and they're doing it.”

Because other writers did not evince a clear ownership of the arguments they were considering, this episode would be coded as “both,” as neither form of role-play dominates the episode.

Table 2 presents the results of coding and demonstrates the frequency of the two forms of role-play work before and after the hunger strike. The table uses the same quarters employed in chapter 6 to group different stages of writing: quarter 1 (roughly the first four months of the group’s process), represents the writers’ early work, prior to the



hunger strike; quarters 3 and 4 (roughly the last three months of the group’s process), represent the writers’ later work. Results of the coding reveal that in the early phases, the writer’s role-play work was more equally split between assuming deeply invested (44%) and less invested (41%) roles, whereas in their later work, the writers are far more prone to assume roles merely for the “sake of invention” (65%) rather than to reinforce a deeply held personal stance or opinion (15%).

<b>Writing Stages</b>	<b>Invested</b>	<b>Not Invested</b>	<b>Blended</b>
Quarter 1 (early writing prior to hunger strike)	12 (44%)	11 (41%)	4 (15%)
Quarters 3 and 4 (later writing, after hunger strike)	6 (15%)	27 (65%)	8 (20%)

Table 2. Role-Play Work and Personal Investment in Early and Later Writing Stages

While the analysis of chapter 3 isolated role-play work that was deeply invested (in fact, the theoretical framework of “internally persuasive” discourse and the process of “ideological becoming” *presupposes* such investment), this chapter aims to examine role-play work that was less invested, as well as role-play work that blends the two modes. To this end, this chapter examines roles that emerged as group members perform the three writing tasks that took up most of their time later in their process (specifically, in quarters 3 and 4): first, engaging official value-based discourse by appropriating pull-quotes, mission statements, and other general talk about institutional “values”; second, deciding how to embed, summarize, and frame the implications of a technical legal argument into the language of the report; and third, crafting proposal recommendations to strike the proper tone of “insistent partnership.” In addition to examining the modes of role-play work that characterize each writing task, this chapter also examines how arguments

explored in talk eventually become encoded in actual text. In so doing, this chapter seeks to answer the following question: how well do these modes of role-play work serve writers' goals as they attempt to argue from within a highly complex role and present themselves as authoritative?

#### **THEORETICAL FRAMEWORKS FOR ANALYZING LESS INVESTED ROLE-PLAY WORK**

While Bakhtin's framework of "externally authoritative" versus "internally persuasive" dialogue and the process of "ideological becoming" is not as useful for interpreting less invested role-play work, Bakhtin does offer another framework we can apply. One framework is *recontextualization*, which has been used by other studies of reported speech in speaking and writing (Linell 1998; Berkenkotter 1998, 2001; Berkenkotter and Ravotas 2002). For instance, in their examination of reported speech in the work of a psychotherapist, Berkenkotter and Ravotas (2002) demonstrate how a clinical diagnosis is derived through a succession of recontextualizations, with both patient and therapist decontextualizing and then recontextualizing the words and perceptions of others. First, a client describes her mental state and experiences using reported speech as she demonstrates how others see and perceive her. Then, the therapist seizes upon meaningful incidents of reported speech, not so much for the content of the reported message, but because the client's own perspective is revealed in her use of reported speech. Thus, the work of recontextualization allows the therapist to "yoke...together the previously separate structure of meanings that underlies the perspective of the client with the structure of meanings that underlies the perspective of psychiatry" (p. 243).

When the DPB writers attempt to appropriate discourse from another context, as in the case of the group's "diversity" pull-quotes in the opening vignette, they attempt a

similar “yoking” of perspectives. Similarly, each writer reframes and recontextualizes a message in her performance of it, and other writers re-recontextualize each other’s ideas in successive performances of hypothetical speech. The group quotes official statements not necessarily because of the content of the message itself, but to suggest that the official perspective is compatible with their own—at least in what administrators *claim* to value. However, this act of appropriation is also the source of some writers’ concern. Does the group have the authority to appropriate an official perspective in this way? How can such a strategy backfire for unauthorized users? These concerns are absent when clearly authorized users recontextualize messages—for instance, when experts confidently destabilize laypersons’ meanings and re-stabilize them in the context of their discipline as in Berkenkotter and Ravotas’s case study.

Recontextualization can thus be risky as when a writer takes a reported message out of its context, the writer opens up the possibility that a variety of meanings can be applied to that message. For instance, in the opening vignette, the group’s strategy to recontextualize the diversity pull-quote does not provide enough reporting context for audiences to know how this pull-quote should be interpreted. They invoke role-play work to imagine all the possible negative roles audiences might project onto them as a consequence (as “brats,” as “queers”). The concept of *recontextualization* is thus useful for understanding role-play work in cases of contested authority—as we can trace the imagined, tentative roles writers project when they assess the risk of appropriating authoritative discourse and attempting to “yoke” perspectives. In fact, their successive performances assess this “risk” by re-recontextualizing the message and weighing potential unintended consequences.

Another framework that can be applied to examine less-invested role-play work comes from Irving Goffman’s (1974) theories of *frame analysis*. Drawing from Goffman,

Clark and Gerrig (1990) argue that the central characteristic of reported speech is that it is *selective* in what it depicts—speakers can use quotations as selective “demonstrations” to prioritize one very specific point above others (p. 769). We certainly see this at play in the opening vignette, as each speaker selectively demonstrates just one point: either the group’s inability to sound authoritative, or their potential power, or their “queerness.” Viewed from this perspective, each proposed role is a limited “slice” of or perspective on an argument.

Clark and Gerrig continue that as “selective depictions,” quotations fall into the category of “non-serious actions.” Using Goffman’s analogy of “real fighting” versus “play fighting,” they argue that quotations are like a mock-fight: they are “patterned on” a previous act, but are easily recognized as different from it (p. 766). To say that quotations are “non-serious” is not to say they do not accomplish a specific goal. Rather, the concept of “non-serious” means the chosen goal is other than merely delivering the reported message. This theory can be applied to the “diversity” quote example in the opening vignette: the goal of the diversity quote is clearly not to extol the importance of diversity, but to accomplish a different goal—to potentially “call the institution to task” for its words. The concept of *serious* and *non-serious* action can be useful when modified slightly to apply to invention and role-play work. A performed role is *non-serious* because a writer’s performed speech is not necessarily what the performer is suggesting the group should actually *write* in the report. However, it is also true that non-serious, proposed arguments are intended to somehow transform into serious written arguments. Thus, the framework of *serious* versus *non-serious* invention allows us to evaluate how well various “selective depictions,” that is, tentative roles and arguments generated from within roles, eventually translate into a *serious* written register. Finally, while this chapter focuses most on *less invested* role-play work, it is important to clarify that the concept of

*non-serious* action can apply equally well to *deeply invested* role-play work. There is no necessary correlation between Goffman's concept of *seriousness* and the concept of *investment* in other words. In fact, the bulk of the deeply-invested role-play work in chapter 3 would be characterized as *non-serious*.

Another useful framework for analyzing less invested role-play work is in Goffman's concept of "shift of frame." Applying this concept to interpret reported speech, Myers (1996) argues that when speakers reorient an original utterance into a new frame, the *transformation* itself is intended to index something specific (p. 378). We see this strategic use of *transformation* in the opening vignette, where writers transform a "bratty tone" into an earnest one and then reverse the footing to personify authorities and index the gap between "us" and "them." Usually, in such performances, there is no overt indication of exactly how the shift of emphasis should be perceived. The cues are usually implicit and subtle in tone or pacing (Gunthner 1998). Thus, both speaker and listener engage in subtle interpretive work to communicate and understand the intended emphasis, what Buttny describes as the "assessment" component of reported speech (1997 and 1998). In fact, Myers even argues that the process of demonstrating correct interpretations of other interlocutors' shifts of frame characterizes precisely how "a collection of people...makes itself a group in the course of a few hours" (p. 381). Thus, the tentative roles writers assume during less-invested role-play work can be in service of *transformation*: that is, to contrast one role by projecting another—even when writers feel deeply, personally invested in neither.

The following narrative applies these frameworks to trace the dynamics of less invested role-play work in three areas of the group's later writing process. At times, the writers are able to locate arguments in *non-serious* performances that translate smoothly into *serious* written text. Other times, the writers encounter nuances in written

authoritative discourse they cannot render in non-serious dialogue—where nuance or ambiguity cannot be satisfactorily captured through serial acts of selective depiction. Other times, when the group moves from non-serious dialogue to actual “writing out loud,” they discover certain non-serious voices must be left outside the group’s written engagement of authoritative discourse. In this way, the work of transforming arguments from non-serious to serious, and from serious to non-serious, functions as a test of sorts: only arguments that withstand the “test” of the transformation are included in the report.

### **ROLE-PLAY TEST 1: APPROPRIATING VALUE-BASED ARGUMENTS**

Because “fostering a diverse workforce” has become such a strong business value over the years and since “diversity” was even listed as one of the “core values” by the institution, the group found ample public statements in which administrators praised diversity—text that seemed ripe for plucking as pull-quotes. They also seized upon other official discourse where the institution proclaimed its values—for example, that the institution should be innovative, sparking change and progress, as in its slogan, “What starts here changes the world.” In many conversations, the group would appropriate such official statements ironically, challenging the institution to “own its own rhetoric.” The group even pulled these official statements into their informal talk to bolster the force of their rhetorical strategies as in the non-serious dialogue in the following exchange, where the group debates revising one of their written arguments:

Ly: [Reading out loud from a draft of the report]: “In such cases, universities have lived up to their own highest ideal of leadership, integrity.”

Ga: If “lived up to” is too...whatever...you can always take that and say “chosen.”

Ly: I don't want someone to infer that we're saying, "You're not living up to your own standard."

Ga: But we are.

Ka: My lens for all of this is simply: “What starts here changes the world.’ You’re not doing it. And Michigan has a very similar lofty thing, and they’re doing it.”

A common practice in the group’s collaborative revision, seen here, is where one writer reads text out loud, offering it up for consideration. This act serves as an invitation for others to launch the informal register with other writers offering up “non-serious” dialogue that examines the “gist” of the argument with each performance indexing a particular nuance. Asking the group to consider the text on its own, the editor rephrases the argument into what “someone might infer” and then performs a non-serious version of the argument in a voice that seems too forceful and accusatory (“You’re not living up to your own standard”). The non-serious performance of this accusatory role aims to demonstrate to others that the serious written text is out of sync with the spirit of “insistent partnership.” However, in this case, group members assert that the accusatory role is precisely the one they want to assume. Framing an episode of hypothetical speech as her “lens for all this,” another group member quotes the institution’s slogan (“What starts here changes the world,”) and then uses the official statement to reinforce her own non-serious take on their written argument (“And you’re not doing it.”) By combining a quotation with her own direct address of the institution, she suggests the group is indeed authorized to yoke perspectives in their formal register. In other words, her non-serious appropriation of official discourse in her informal talk reinforces the group’s serious appropriation of it in their written text. As is noted above, in this episode this writer also becomes personally invested in this role—as her “lens” for all this.

Other times, the group found themselves grappling with potential snags and conflicts of attempting to “yoke perspectives” by appropriating “diversity” and other

official, value-based rhetoric. One example that has already been considered is the opening vignette, in which the group deliberates how to make use of a choice diversity pull-quote. In their non-serious dialogue, they envision themselves confronting the institution on the emptiness of its rhetoric, “slapping [an official] in the ass.” Especially after the events of the hunger strike, some members of the group were growing more and more cynical about the usefulness of official “diversity” statements, especially since they learned that the institution’s nondiscrimination policy “had no teeth,” despite its inclusion of sexual orientation. They had also learned that even the Vice President of the DDCE himself would publicly state that, given the controlling legal statutes, the current policy was “correct.” Yet, as much as they were skeptical about the legitimacy of diversity arguments in official administrative contexts, the group also obviously felt that such an ideal should be more than just lofty business-speak.

The group thus tended to waver between two stances when they engaged diversity and other official values-based rhetoric, both of which is seen in the following episode where the group decides what to do with yet another pull-quote:

Li: [Reading aloud from a pull-quote]: “Because Texas has always been a unique crossroads of cultures and ideas, diversity is at the core of our state’s vitality.”

Sa: Is he talking about Texas?

[Group laughs]

Li: See my point?

Ly: Are you going to use that first sentence, because one of my concerns about that first sentence is, when they talk about “culture,” they will not see GLBT as a culture. “Ideas points of view and skills.” It’s almost like we’re not included in that.

[Multiple writers]: Mmm hmm. Yeah.

Li: “Ideas point of view and skills?” I think we are included in that!



Ga: Are we considered a culture?

Li: I consider us a culture!

Ly: Well, I do.

Sa: But that's the point though. Do they? Right? It's not us.

The group shares the obvious “joke” that lofty diversity language so clearly does not reflect what the group perceives as the “reality.” But the group also senses that diversity rhetoric may indeed be useful for *some* groups (those considered “cultures”). While the group members sometimes challenged the rift between “lofty diversity rhetoric” and “reality” to strengthen their arguments, they were cautious about the kind of authority they could project in appropriating official values that aren’t meant to extend to “the queers.”

In other words, the group sensed that when appropriated by the institution, diversity rhetoric is crafted to be exclusive. Joseph (2002) asserts that this phenomenon is what happens when terms originating in social movement discourse are recontextualized in official, institutional rhetoric. In other words, the term is saddled with what M.M. Bakhtin would refer to as a complex “historicity”; having been recontextualized in different environments over the years, the term comes with already embedded perspectives that pose inevitable conflicts when the group attempts to recontextualize the term. They want to retain the official authority the term enjoys in the business context; however, this authority exists because, first and foremost, the value is seen as beneficial to an institution. Appropriating the term to criticize and challenge the institution is thus using it against the grain of its official authority that can be a powerful rhetorical move, but one that locates the argument as already outside the realm of authoritative discourse, at odds with it, engaging it only ironically. This blatant critique and ironic adoption of “diversity” and other official values-based rhetoric permeates the group’s non-serious

talk—where they playfully talk about using official words to “slap them in the ass.” But, when it comes time to move from non-serious talk to serious text, this ironic role does not translate into actual written arguments.

For instance, one of their early writing tasks was documenting the cost of their proposed policy—how much implementing DPB would cost the institution. In a meeting, the group discusses how to frame an argument around this budget estimation—a figure so small the group considers it almost insulting. One group member jokes that the figure a little over one-half of one percent of the current insurance budget, “[is] the smallest number I’ve seen in my life!” The group sees the opportunity for another pull-quote. Jokingly, one writer asks which text should be the pull-quote, the numerical figure, or the half-joking, half-outraged statement “that’s the smallest number...!” But, in the midst of their joking, some consider interweaving the framing of this tiny figure with the “diversity” piece, juxtaposing the cheapness of the policy with grandiose, official statements about diversity:

Ly: I think a big downside we have politically is money...So, is [the top administrator] going to fight for what he knows is going to be 52 people? Now, we know it’s a bigger issue, it’s a diversity issue as I see the world, and he’s running around yelling “diversity!” “Honey, put your money where your mouth is.”

Ix: But it’s not a lot of money.

Ly: It’s NOT a lot of money!

Ix: That could be a way to spin it for him.

Li: I know! The cheap date strategy.

Ly: There’s a bigger bang for your buck on this one. That’s true, that’s a good point.

Ix: So we don’t even have to be a part of his money worries.

Li: It's like 600,000 [dollars] or something. It's the cheapest diversity point he'll ever buy.

Ly: Write that one down. That's really nice languaging.

Ix: [Laughing] "It's the cheapest diversity point you'll ever get." Please don't say that!

Li: [In a joking voice] Nice languaging. [laughs] But you said it in a very tactful way.

As the group invents a new argument together, they launch into an imagined conversation with the top administrator who is "running around yelling 'diversity.'" The first direct address engages "diversity" ironically, ("Honey put your money where your mouth is!"), and is clearly intended as a playful statement, something they would never say to the administrator. However, the group begins to slowly shift from the playful frame into a more earnest one—recognizing that it's true, the policy they are proposing is both cheap and good diversity "PR" for the administration. Some in the group seem struck by this synergy, rephrasing it in playful clichés ("bigger bang for your buck," and "cheap date strategy"). And some members of the group even begin moving from the non-serious mode of playful, direct address to the institution into the more earnest work of collaborative writing out loud in which the group produces actual words to write down and a legitimate argument to present to authorities. (The nature and frequency of this particular collaborative writing behavior—*refinement*, in which group members hone in on arguments through successive performances—is discussed in more detail in chapter 6.)

However, one group member resists the move to "write it down," expressing reservations about the gradual transformation from the "non-serious" to "serious" register: while the group members can acknowledge the apparent emptiness of the institution's diversity talk and even playfully reflect upon it to brainstorm ideas in "non-

serious” invention, they cannot be so glib with what they agree is a legitimate and important value in their “serious” writing. In this role-play test, the group reevaluates if they really want to highlight the emptiness of the institution’s words, cynically presenting “diversity” as part of a public relations “point system.” Could they demand a legitimate conversation about diversity while, at the same time, seeming overly glib in appropriating the value? After this conversation, the group backs away from this particular argument, even when worded in a more “tactful” way. The synergy that seemed so valuable in the group’s playful talk thus never makes it to print.

Interestingly, in terms of conversational structure, the “test”—that is, the attempted transition from the non-serious to the serious mode—is quite subtle. In other words, in terms of conversational footing and frame, the structure of the “non-serious,” conversational address and the “serious” register of “writing out loud” are almost identical. The transformation between the two modes happens in the minds of writers and in subtle shifts of performance that signal that speaking is becoming writing. In fact, this transformation can be so subtle that certain group members miss the cues.

For example, in another episode, the group worries about the unintended consequences of recontextualizing official value-based discourse. While the previous example demonstrates how the group worries about projecting too ironic a tone, appearing too earnest is also a problem. During the final revision stage of their writing, the group debates quoting an official value statement as their concluding strategy. They inserted the institution’s slogan (“What starts here changes the world”), as the very last line of the report, which seemed at first an eloquent and effective closing argument: a decontextualized quote serves as the final word of the report, reminding the institution of its own goal to be an innovator. The group initially likes the strategy. It is not blatantly ironic and doesn’t come off as “bratty.” They simply repeat the challenge the institution

presented to itself. They take this challenge earnestly and offer up a partnership with the institution to make sure these words are indeed legitimate. But, one group member raises some concerns:

Ix: I like that we're referring to ourselves [in the quote, "What starts here changes the world."] But I am also a little concerned because [DPB] didn't start here. That's a technicality, right? And also, the university's sort of attitude around specifically LGBT stuff, what's been said to me by administrators is, "We don't want to be at the front of the pack, but we don't want to be at the back of the pack."

Ga: Well, they're at the back of the pack. You're absolutely right. Part of me wants to [say] screw it! [get rid of the quotation]

Ix: So, the implication that "Eeew, you're gonna start a queer revolution..."

Ly: Ohhh, yeah. "You don't want to be doin' that!"

Ix: Right, I don't think *they're* gonna wanna be doin' that. So, in a way, it's great. We're calling them to task for our own words. And we need to do that. I'm sure it's good to use our own rhetoric. But, the implication, given LGBT issues, I don't know if it will actually read that well to them.

Ga: Yeah, and I don't know what that is. It's not a mission statement, it's not an official, like, it's like a tagline.

The first writer worries about the strategy of concluding their 90-page report with a bit of decontextualized text that is perhaps too easily mis-contextualized. As is discussed earlier in this chapter, this move can be risky because so open a framing enables so many possible interpretations. Their intended meaning may be lost or may even backfire. To demonstrate what she perceives as a likely misinterpretation, the writer invokes hypothetical speech to demonstrate the typical perspective of members of the institution. In fact, she follows the same pattern as the VP of HR's lesson of "listening to the institution," (discussed in chapter 4) by using what she learned while "listening" to guide her deliberations about what the group should do and say. While she makes several

important points about the problem with their “earnest” tone (that DPB didn’t start “here”), her main argument is that the group’s quote is likely to be misread as a threat of a “queer revolution” or, even worse, that administrators themselves may be seen as championing “a queer revolution” by backing DPB. In this complex statement, this writer performs the possible misreading inspired by institutional homophobia—the fear of being too officially aligned with LGBT issues and people.

The group moves “serious” text back into non-serious talk to explore the potential unintended consequences of how they attempt to “yoke perspectives” in this simple act of quotation. In fact, they destabilize the “yoked perspectives” so much that it even momentarily destabilizes the group’s conversational work. After the first writer describes her history of “listening” to the institution, another writer jumps in to perform what she initially thought was the “point” of the narrative. When the first writer makes the point that “it didn’t start here” and the reported message about being at the “back of the pack,” she seems to be suggesting the emptiness of the institution’s rhetoric, inspiring another writer to say “screw it!” (get rid of the mission statement). After all, the institution is “at the back of the pack,” and so their values-based discourse should not be engaged so earnestly, certainly not as the final word of the report. But, the first writer moves on to articulate a different problem around earnestly engaging values-based discourse: that it can backfire when particular groups try to wield it (in this case, suggesting official alignment with a “queer revolution”).

In a moment of frame confusion, the group seems to get a little lost amidst the multiple stances and yoked perspectives inherent in the work of recontextualization: whether they intend to locate themselves outside official discourse, pointing to an empty discourse to be invoked ironically, or whether they should be cautious about an exclusionary discourse, one that has genuine power, but which can backfire when the

unauthorized try to wield it. In this moment, these embedded perspectives momentarily hamper the writers' abilities to "get" what is being indexed in the speaker's selective depiction. The conversation requires repair work to stabilize the frame of reference the speaker intends. Another writer tries to reinforce the intended message by performing the audience's likely reluctance to be aligned with a "queer revolution" ("Oh yeah, you don't want to be doing that"). Then, to make sure this proper frame is understood, the first writer rearranges the footing of the performance—to reinforce her original statement, not in the guise of authorities, but as herself ("Right, I don't think *they're* gonna wanna be doin' that.") Because of the multiple snags they encounter as they try to "yoke perspectives" in this quotation strategy, even as they try to explore the move in their non-serious dialogue, the group soon agrees to remove the mission statement from the last line of the report.

These role-play tests thus allow the group to perform the complex work of testing their authority to appeal to and appropriate official values. As they attempt to "yoke perspectives" in strategic ways, they explore the implications in non-serious dialogue. While the blatantly ironic engagement is a prominent voice in their non-serious brainstorming, it does not translate well into their "official" report register. In their formal voice, the group seeks to be more authoritative, not "merely" ironic, but also, more mindful of the real value of terms like "diversity" for the LGBT community. Given the complexity of their task and the rhetorical stance of "insistent partnership," it is not surprising that the transitional movements from talk to text and from text to talk can generate frame confusion. But even these confusions are illustrative as they help the group calibrate the power dynamics of recontextualization for unauthorized writers.

## **ROLE-PLAY TEST 2: FRAMING A NOVEL LEGAL ARGUMENT**

The group encountered a different set of challenges when attempting to recontextualize what they referred to as “the legal piece.” One challenge was simply rewording technical language into the more informal register. For instance, after the group was given the new legal argument by the Political Director of Equality Texas, the Chair of the committee took it upon herself to meet with various administrative allies and present the argument to them. She described the difficulty and frustration she experienced afterward to the DPB group, as a non-expert, trying to summarize, paraphrase, and argue from the law. She recounted one of the less-than-successful exchanges this way:

Ly: ....And [the administrator has] read the white paper and when I was trying to articulate to him, "It's not that it's illegal," and he said, “Yes it IS illegal...,” I didn't know how to say back to him, “No it's not!” without just going “No it's not!” And that's not an effective form of communication.

Ix: Right! [laughing and making hand puppets] “Nya nya nya! Nya nya nya!”

Simply presenting the text of the white paper for officials to read was not enough. Members of the DPB committee had to verbally frame the written argument for administrators, who (in this case) have actually “read it,” but are skeptical that it presents new information that overpowers their interpretation of the law. Convincing administrators who would be their allies thus requires the additional work of preparing an informal framing of the formal argument, a 30-second “elevator speech” that is ready to deploy whenever the group receives the standard flat denial (the “open and shut” case, “it’s illegal”). In fact, it is likely that what would persuade reluctant administrative allies is not just an informal framing that seems convincing to them, but an informal framing they can envision *themselves* using as they would ultimately need to give the same pitch to the administrators above them.



The Chair explains that when she tried to offer this informal version and engage administrators on equal footing, her audience was prone to simply discount that the group possessed any new information that constituted a compelling legal counter-argument. Her challenge was appreciable, given that most of the time, she was trying to frame a complex legal argument into more simple informal talk to persuade trained lawyers. (Almost all administrators the group worked with had attended law school and spent some time practicing law.) After a few unsuccessful conversations, the group decided they would address this problem by making sure the Political Director of Equality Texas was always present when they needed him to “speak to the legal piece.” This strategy worked. After a meeting in which the Political Director presented the legal argument, several previously skeptical administrators were more optimistic, even excited about the legal argument—one gladly declaring, “Okay! Now I have something to work with.”

It’s obvious what the Political Director has and the Chair of the DPB committee lacks: the domain knowledge and advantage of being the author of the legal argument, and, thus, fluent in its reasoning, and the ethos of being a lawyer. But the Political Director also benefits from a subtler skill experts share, something that ultimately authorizes them as legitimate users of authoritative discourse: the ability to frame legal and other kinds of technical discourse into informal talk in a way that marks them as insiders. This ability isn’t just the literacy of understanding the basic meaning of the legal piece (which itself was daunting enough), but also knowing how to summarize the gist of the argument—how to hint at, but not overstate, the possible implications, how to use properly qualified words and verb tenses to offer something up for consideration. In other words, before administrators believe there is a *serious* argument, they must be persuaded by a *non-serious* performance of it that contains something more (or something other) than the mere delivery of the reported message. This performance is especially important

because the group is offering up a novel legal interpretation that contradicts a well-established one. Their tone must thus be conditional, not declaring the “correct” interpretation, but still convincing enough to destabilize the “open and shut” retort, “it’s illegal.” Successfully striking this delicate balance marks one as an insider with legitimate “new information” worthy of a hearing. Simply saying, “it’s not illegal” does not. Furthermore, striking the proper nuanced tone is especially important given the technical argument’s two-pronged construction of institutional agency (discussed in more detail in chapter 4): first, that the institution has an expansive, but as yet untapped authority to write and revise its own administrative rules, and second, that it has the mandate to offer competitive insurance plans.

As an expert familiar with how to mark himself as an authorized user of legal discourse, the Political Director understood how to frame the legal argument in different contexts. In the white paper, he uses forceful, uncompromising language. He first delineates the areas of code that together construct a combined authority and mandate. He then declares, “There is very little room for the Systems to argue that they have any leeway in this matter,” and further, the pertinent codes “do...not include a qualifying phrase allowing the systems to avoid this mandate.” However, as is discussed in chapter 4, upon summarizing this argument to the DPB group in a meeting, the Political Director articulated how they should “frame it” in an informal conversation, as something between a “statement” and a “question,” with them asking the institution whether or not they are aware of the new information. While the argument itself is written in uncompromising terms, the Political Director reframes it in as more tempered conversation. This observation points to a striking contrast between written and spoken strategies of constructing one’s ethos and authority while attempting to engage official discourse. The

sophistication of these strategies would have been worth examining in a close analysis; unfortunately, I was not permitted to audio record these conversations.

While the group was lucky to have the Political Director available to handle the spoken presentation of “the legal piece,” they still found themselves needing to engage and reframe the legal argument when they were finishing writing their report. While the Political Director’s white paper was included as an appendix in the report, the group felt they should summarize and reference it within the language of the report as well. In fact, they decided to undertake this recontextualization work in the very section of the report that had been the epicenter of prior conflict, discussed in chapter 3: “Is there a resolution against DPB?” As is discussed previously, after some debate, the group came to the consensus that they needed to offer a detailed legal argument in this section of the report (rather than just answering, “No,” as they did in an early draft). Armed now with the new arguments of the legal white paper, they added more information to this section:

Is there a Board of Regents resolution against DPB? No. The Board of Regents is free to find a legal way to provide such benefits. On the contrary, the Board of Regents has a legal obligation to offer competitive recruitment incentives. One could say that *not* offering DPB is contrary to the Regent’s responsibilities. In addition, [the institution] has the authority to offer DPB simply by following its statutory mandate to offer competitive compensation and benefits to attract and retain appropriate faculty.

This paragraph was followed by quotations of the pertinent areas of the legal code identified by the Political Director. The paragraph then concluded with a summary of the pertinent codes and referred readers to the white paper in the appendix for more detail.

The group spent several collaborative writing sessions revising this paragraph. Not surprisingly, given the complexity of their task, the writers were often split regarding how much legal authority they could project, as in the following episode:

Ly: It says, “On the contrary, the board of regents has a legal obligation to offer competitive benefits.” “Legal” I don't think that's a good word to use there. I'd say, “The board of regents has an obligation.”

Ga: Yes, I agree.

Ly: Because I think that could get us in trouble.

Ix: But it is technically true, though.

Ga: Well, it depends on how you define “legal.”

Me: In their own insurance code.

Ga: Yeah, but they've written the insurance code.

Ix: What the purpose of this is to say that, “It's not that you have an obligation just because you're supposed to do it.” It's supposed to say, “This is part of your by-laws. This is part of your responsibility.”

Ga: I know what you mean, but to tell the Board of Regents, most of whom are attorneys, that they have a legal obligation to do something. I just don't know.

Me: But, that's the whole argument of the white paper. That's what the Equality Texas white paper is all about.

Ga: Still, I don't know.

In this case, one writer argues that the “mandate” component of the white paper should be rendered forcefully in the report, as “that’s the whole point.” But others resist using the word “legal” to describe the institution’s “obligation.” While the first group member invokes the informal register and hypothetical speech, demonstrating what the argument “says,” other group members who are skeptical about the serious argument resist this *non-serious* framing of the legal mandate. Importantly, they do not counter by entering the performative mode. While most episodes of hypothetical speech are highly collaborative, with one writer’s launching of the performative mode inspiring non-serious retorts and responses from other writers, this form of collaboration does not emerge in this case. Instead, the group’s inability to translate the Political Director’s legal argument

into their own legal argument is echoed in some members' reluctance to switch to a *non-serious* frame to explore their options. In other words, if one form of a role-play test is whether non-serious arguments can be transformed into serious ones, another role-play test is whether writers can render a *serious* argument into the *non-serious* mode. Even though it's "just play," non-serious framing work requires writers to have a strong sense of their own authority to translate texts into the playful register where they can manipulate and reconfigure it. In other words, the ability to enter into a conversational, informal register is a test in itself.

In another episode in which the group debates this same question, they try rewriting the passage together out-loud. In other words, the group does not even try to translate arguments into the non-serious register or launch the conversational mode where they imagine themselves talking with someone. Instead, they try to resolve the question by focusing solely on the text itself.

Ly: ....when you say "on the contrary" there's a little uppity something to that. And so, "The Board of Regents is free to find," "is free to find" sounds kind of funny.

Ga: It does.

Li: "The Board of Regents..."

Ly: All right, can I just play out loud with my words? "Is there a Board of Regents resolution against this? No, and in fact, we would expect the Board of Regents would want to recruit and retain the best faculty and staff possible. Therefore, we're suggesting...a legal way to do that under this...particular political world...<pause>." Um, don't say that.

Li: How about, "There is no legal restriction, no *something* restricting the board of regents from providing such benefits?"

Ga: When we start saying what is legal and what is not legal...

Li: I think we just have to say why?

Me: But the document, the argument about the white paper is that according to our code, is it in our Insurance code...

Ly: No, it's the second indented paragraph, it's the Education code, [reading from code], "to the greatest extent possible" they have to, they are supposed to by law "provide salary and benefits, at least equal to the average."

Li: So, what if we were just to make reference to the Education code again, so that, "No, in fact, according to the Education code, there is an obligation, there is a legal obligation." Or what if we said, "There is an implied legal obligation."

Me: But it's not implied. It's explicit.

Ga: Well, but it depends.

[Pause]

Me: Yeah.

Ga: We need Ka [the group member with legal training].

Ly: Yeah, I don't think we should be writing this. We need Ka and maybe Equality Texas to help us with this.

As chapter 6 will demonstrate by tracking and categorizing episodes, collaborative "writing out loud" was an uncommon behavior—probably because it is so difficult, especially when writers are working with technical topics that challenge their literacy, and when they are so unsure about their authority. Formal language tends to falter, and writers resort to inserting informal space-holders ("particular political world," and "no *something* restricting..."). As they try to resolve complex questions while spontaneously writing out loud, the writers rely heavily on repetition and self-revision as they grope around for the right nuance of authority ("there is an obligation...legal obligation...implied legal obligation"). They stumble most when they try to engage the implications of the legal code: should they describe the code as "an obligation" or a "legal obligation," should they say the institution "has to" or is "supposed to" act, and is this reading of the code "implied" or "explicit"? In other words, the group is attempting

to interpret the implications of the code at the same time as producing their paraphrase; they simultaneously try to pin down “what the codes say” and “what the institution must do,” the most official move of legal discourse in this case (as is discussed in more detail in chapter 4). After several attempts, the writers ultimately agree that they are unqualified to do this and decide to task the group’s lawyer (who was not present at this meeting) to revise this section of the report.

Working on her own, this writer produced a revised version of the section that shortened the framing of the legal argument:

Is there a Board of Regents resolution against DPB? No. The Board of Regents has the authority to offer DPB by following its statutory mandate to offer competitive compensation and benefits to attract and retain appropriate faculty. The relevant codes are listed below.

The legal writer’s revision strips out sentences that over-emphasize the authority of the institution (They “are free to find” a way to offer DPB) or, conversely, communicate too much mandate in stating exactly what the institution “must do” (“on the contrary, the Regents have a legal mandate”). The legal writer also strips out a sentence that strongly articulates a “mandate” in loose, informal language (“One could say that *not* offering DPB is contrary to the Regent’s responsibilities.”) In trying to stress a connection between what the codes “say” and what the institution “must do,” these deleted statements seem to overstate the case in one direction or another—the easy “freedom” and broad authority, or the restrictive “mandate,” even phrasing a very serious interpretation in something close to a *non-serious* staged conditional dialogue (“one could say...”). In her revision, the legal writer retains only the last sentence from the first draft—a sparsely phrased, more nuanced framing that quietly subordinates the mandate within a more understated declaration of authority (“The Board of Regents has the authority to offer DPB by following its statutory mandate...”). The sentence that makes

the cut thus tempers too easy an “authority” by connecting it with “mandate,” which also makes “mandate” less restrictive.

In a follow-up meeting, the lawyer of the DPB group explains her revision choice, and the group ends up rehashing the issues they had debated before. One writer, who preferred the revision the lawyer produced, explained:

Ga: I like that it’s talking about the statutory mandate, without telling them they have a legal obligation. Instead, “There’s a statutory mandate. Here’s the statute.” You know what I mean? Telling a bunch of attorneys they have a legal obligation to do something. [The revision] doesn’t sound as much of “Yeah, we’re a bunch of people trying to tell you what you have to do legally.”

Ka [the lawyer]: I was actually okay telling them what they have to do legally, but I’m also okay with not doing it.

Ix: I was arguing for keeping “legal” in because the whole point of the white paper was, “by law, you have to do this.”

Ka [the lawyer]: But it is their job to interpret what the codes mean, and [the Political Director] only highlighted the good stuff. There is other statute and case law against our argument, which they will then research and cite against us. So....it’s probably more accurate to cite the actual statutes in our favor.

The lawyer thus explains the rationale behind a more nuanced and subtle recontextualization of the legal argument—professionally, lawyers know that in the initial negotiation stages of a legal conflict, one should not encroach so blatantly upon the official authority of a governing body and the administrators whose job it is to interpret their own codes. Informal framings should present the codes themselves with only a suggestion about their implications, offering them up as fodder for future conversation (similar to the informal framing initially offered by the Political Director of Equality Texas). Doing this demonstrates that one is an insider, familiar with the customary process of legal interpretation and counter-interpretation. The various roles the group are evaluating are clear in this episode: between being “a bunch of people trying to tell you



what you have to do legally”—which will look inexpert, versus more neutrally offering up “what the text says,” and only lightly suggesting what those texts do (and, as a consequence, what the institution may do).

Looking closely at the *non-serious* framings the non-expert writers produced while collaborating on this section of the report, it becomes clear that none actually captured the nuance of the lawyer’s final written version. One writer’s non-serious framing suggests that their legal recontextualization should do no more than point to the existence of a statute (“There’s a statute, here is it!”). In this framing, the group’s authority ends with a declaration of existence, not a proposal or call to action. In contrast, the writer who wanted to more strongly emphasize the legal obligation and actual mandate presents the gist of their argument in a non-serious frame that, in no uncertain terms, is a clear mandate (“by law, you have to do this”). Neither *non-serious* framing captures the nuance the lawyer prefers in her final revision: with its quiet subordination of “legal mandate” beneath “authority” and its compromise between the two rhetorical modes of “existence” and “proposal.” Her compromise functions like a less controversial definitional argument: “authority” is defined as the act of following one’s own statutes, even when they include a mandate. Importantly, the group arrives at this more nuanced framing, not in non-serious register work, but in the independent writing of a trained expert. In this case, it seems the dynamics of selective depiction, which index only one particular perspective, usually by somewhat over-exaggerating it in performance, makes it difficult to render the nuanced role achievable in written text.

Although subtle, the literacy at play in this particular kind of recontextualization is crucial. The skill of informally framing novel legal arguments enables those with the technical know-how, as well as the professional ethos, to authorize themselves to offer up an inchoate argument for consideration in the realm of well-established authority—to get

a hearing that goes beyond the exchange the Chair encounters (“It’s not that it’s illegal,” “But, it IS illegal”). In this case, the technical legal white paper states, in unqualified, clear terms, what the institution “must do.” But this forcefulness must be complemented and tempered as the technical text is recontextualized in expert, informal framings. When handled correctly, such framings render the novel legal argument more credible. In fact, several administrators (even close allies to the DPB group) responded to the text-based version of the legal argument with skepticism, describing it as “wildly creative.” This off-color admiration praises the innovativeness of a new legal interpretation while doubting how well it would convince authorities or “hold up to judicial muster,” in the words of one official. The informal framing of this novel legal argument was powerful precisely because of its temperance and qualification, which gave the more unqualified and forceful text-based version more credence. In other words, while the technical version outlines the legal argument in no uncertain terms, the more informal framings—both the spoken “elevator speech” and the written summary in the group’s report—demonstrate something else: that the group’s legal resources are seasoned experts with insider literacy, well versed in the negotiation necessary to move policy from the realm of “wildly creative” to authoritative and legitimate.

### **ROLE-PLAY TEST 3: EVALUATING PROPOSAL RECOMMENDATIONS**

In the later stages of their collaboration, another challenge the group engaged was composing formal recommendations that would come to be the cornerstone of their report. Early in their collaborative process, the group had been conflicted about whether or not it was their “job” to propose exactly how the institution could achieve DPB (as discussed in detail in chapter 3). As the skeptic of the group argued, it was literally the job of professionals in HR and elsewhere in the administration to come up with these

strategies. After all, they were paid to do the legal heavy-lifting needed to ensure the institution offered equitable policies and followed their own guidelines. Yet, the group rethought this stance as they eventually came to an agreement about the basic role and purpose of their report. Events of the hunger strike demonstrated precisely what would happen if they simply “demand DPB.” Plus, they now had a legal argument that outlined a different way the institution could conceive of its own authority

Thus, it eventually became clear to the group that they should write concrete, practical recommendations, which somehow engaged the “legal piece” and also reflected the stance of “insistent partnership” that had emerged during the course of events. Figuring out exactly how to do this required more role-play work. Producing official proposal recommendations is not a clear-cut case of recontextualization: the group is not so obviously working to “yoke perspectives” as when they appropriate and repurpose official value statements or when they try to paraphrase and strategically frame technical legal texts. The task of writing proposal recommendations presents a different rhetorical challenge: deciding exactly what to ask for. This writing task thus allows us to examine a contrasting case of role-play “testing.”

Deciding exactly what to ask for was more complicated than the group first assumed. In fact, the group did not even consider the question of what their actual recommendations should be in the early stages of their collaboration, when they were articulating the role and purpose of their report. The reason may be that the particular report they used as a model did not have a specific list of recommendations. Or, the reason could also be that (somewhat paradoxically) the obvious recommendation was clear in their heads: “give us DPB.” When members of the group did produce a first draft of report recommendations, before giving it a lot of thought together, the approach remained very general: requesting employees be granted the same employment benefits

as their similarly situated, married counterparts, an argument anchored in the familiar logic of formal equality. They quickly decided to dump this approach, however, as they thought better of using the term “marriage” in such a prominent place in their report. After all, the institution’s central legal contention was that offering benefits was an act of recognition “similar” to marital recognition and thus illegal given the state Defense of Marriage Act (DOMA).

Following the events of the hunger strike, the group produced a second version of their recommendations. This conversation occurred in the group meeting the VP of Human Resources attended (the one where he offered the group the “lesson” of “listening to the institution” and assuming the stance of “insistent partnership,” discussed in more detail in chapter 4). In addition to these lessons, the VP of Human Resources gave the group members some advice about how to write their recommendations.

VP of HR: In your report, come right and ask for what you want. Don’t just say, “Here’s a problem.” Be very specific and say, “Here’s what we want. We advise you.” Remember, the role of the university resource group is to advise the university community. “We advise you that here are the issues and we would recommend....” You see what I’m saying?

Li: We have a recommendation, but we’re still revising it, right now it’s very brief, like, “Give us domestic partner benefits.”

Ga: “Now!”

VP of HR: “Yesterday!” [group laughs] But I think you’re right, you can say, “We think there’s this argument, but whether that works or not, we’d like you to try to find a way to make it happen.”

Li: That’s what I’m concerned about. I don’t want to say, “Do it this way,” and then they’ll say, “Well, can’t do it *that* way.”

VP of HR: Your request should say, “We want you to pursue this, as a possible way, but if that doesn’t work, can you come up with a plan B or C or whatever.”

Li: The main thing I want to ask for is leadership, that the main burden of it be taken off the people who are afflicted and affected by it and let us support the university's efforts to right this wrong.

The group members jokingly refer to their first stab at a recommendation ("DPB now!"). After joining in this playful statement, the VP models the actual framing they should project in their writing. When they make proposals, they should be specific, going beyond the mere statement of the problem and asking the institution to act. Later in the same meeting, he advises, "We need to be able to say 'It's great that you support it, but what are we going to do about it?'" However, he also suggests the group members not ground their authority solely in the legal argument, presenting it as the clear "solution" that allows the institution to act. Instead, their main authority should come from the voice of "advising" the institution, acting as a resource group—partners or consultants with special authority around LGBT issues—whose intention is to inform the university. Of course they should also propose a legal solution—a "way they can do it"—but it's not this role that should be stressed in the framing of their recommendations. Instead, they need to give the institution the flexibility to come up with their own plans. After listening to this advice, one writer projects an invested voice (as opposed to less invested roles) to articulate the "the main thing I want"—leadership and ownership of the issue by members of the institution. This need seems compatible with the role of insistent partnership the VP is modeling.

After this meeting, the group frequently identified more things they could legitimately ask for, even demand, from within the VP's modeled stance of insistent partnership. In the next meeting, the group revisited "the main thing" the writer articulates above and then launched directly into a collaborative writing session:

Ka: I just want to know that it's somebody's job, not this ragtag coalition of dedicated people who have full time jobs and are not...I mean I take comp time to work on this, I do it at night at 1:00. I mean we all do that right?

Li: It's a really good point that it should be somebody's job. How can we set it up so that it's somebody's job at the Chancellor's office? So basically, recommend to the president, that "As you bring this to the Chancellor, that he..."

Ka: So when you're saying "Chancellor" do you mean "System"? So we want a System attorney, we want him to appoint Mark...whatever his name is. Whoever's the head of the legal department...

Li: So, "to appoint a System attorney, to figure out a legal strategy for making this happen."

Ly: "Legal strategy" [appreciating the word]

Li: Ha! [Making a hand puppet] "Blah blah blah blah."

The group is so unified in their agreement here, about "the main thing," that they launch directly into a collaborative, writing out loud session in the formal register of the report. In fact, the rapid transition from identifying a real need, articulated in the non-serious register to composing in the formal register even becomes comical for some of the group members, who seem amused by their impressive fluency. This pattern of constructed dialogue was common when the group engaged the work of inventing, writing, and revising report recommendations—the area where the group met with the most success when they tried to "write out loud" together: the group found unity and a sense of authority in articulating what they "want"—suggesting a more invested role. In this stability, the group's invested role, articulated within non-serious dialogue, could be transitioned relatively smoothly (in comparison to other episodes) to the formal register. (Again, the frequency and nature of this behavior—referred to as refinement—is addressed in detail in chapter 6).

This fluent ability to draw from an invested, non-serious role to authorize the group's writing in the serious register also characterizes the episode in which the group articulates the second report recommendation. In this case, one writer presents an idea that she had already written down:

Li: I have a huge, huge recommendation that we need to discuss....I think that one of our recommendations needs to be that, [reading] “we immediately begin to offer all benefits not covered by state law, including dental, vision, and life.”

Ka: I had the exact same [stands up and gives her a “high 5”]...soft benefits!

Li: Why the fuck not!

Ka: Immediately, the university of...

Li and Ka in unison: North Carolina!

Ka: Exactly.

In cases where the group feels a clear sense of justification, a fairly clear pattern is evinced in their role-play work: a smooth, almost seamless transition between the non-serious and serious frames. While not the same kind of recontextualization work the two previous sections describe, this role-play work successfully yokes different voices: the group’s sense of what is internally persuasive, and what they can legitimately call for within the role of insistent partnership. These voices can be confidently united, for example, when the group is proposing “leadership,” which in no way defies state law. These voices are also united when they are asking for “soft benefits,” which also do not defy state law. In other words, the alignment of the two modes—the *non-serious* demand and the *serious* proposal—emerges only when they are expressing arguments that do not contradict established authority. In the episodes outlined above, the group’s register work loses its struggle for “translation” or movement between registers—the “tests” which typify their dialogues as they invented, wrote, and revised other arguments together. The easy co-existence of the two registers, the smooth transitions between them, clearly typifies register work when a group feels highly authorized.

However, the group comes to worry later that they may have projected too much *insistence* in their new recommendations. In a later meeting, they invoke register work

that seems to destabilize the authority they once envisioned. The Chair explains to the group that she worries that, “some of the...recommendations had a little bit of tone of entitlement, and I think we need to start with a voice of partnership. Versus, ‘you guys need to do this, dammit!’” She refers to their first and main recommendation in the report—in which the group proposes the “main thing” they want: that the institution assume leadership for this issue, and that this leadership “should” undertake some very specific tasks:

Ly: Where it says, “this leadership should,” it’s the word “should,” “should include.” I’m having a hard time telling somebody what they should do.

Li: How about would?

Ix: Would or could?

Li: Will?

Ly: We’re telling the President what to do, so...

Li: “And if you’re going to follow it, this is what it will do. And this is what you will do if you follow what we say.”

Ix: Shall?

Ga: How about this leadership includes? Then we don’t have to put anything in there.

Li: Ah, includes! This leadership includes! Leadership includes, yeah, “If you feel like fuckin’ stepping up, this is what it would include!”

[Group laughs]

Sa: That’s parenthetical.

Ga: Can we put that as a footnote?

Li: “Step up!”

Ly: Well, I’m reading it to make sure it doesn’t imply should (reading out loud): “This leadership includes...”



Ga: Because it could include a lot of other things.

In this episode, the group moves in and out of formal and informal register, still with ease, playfully articulating the message in an insistent voice even as another group member worries about going too far in implying “should.” However, the insistent “gist,” which had been so aligned with the original production of the recommendation, becomes a “footnote,” something “parenthetical,” and a joke (“Step up!”) In a sense, an increasingly insistent voice, rather than reinforcing the serious message, is being invoked to justify revisions in the serious register that are becoming more and more tempered. The yoking of voices, which allowed the group members to draw inspiration from invested roles in order to invent serious arguments, has become skewed. In other words, the non-serious insistence makes the group feel empowered, but this insistence becomes a “footnote” outside the serious conversation, while the serious writing itself grows more and more tempered. This episode thus raises questions about potential downsides when the non-serious register is where “authority” is derived. In this case, it appears that the forceful statements of entitlement are being siphoned out of the formal register, while the parallel mode of non-serious dialogue isolates and contains these messages outside the “real” argument, as a “footnote.”

## CONCLUSION

In the later stages of their writing, as the group engages authoritative discourse in earnest, they use role-play work to understand how to devise arguments within a complex role of “insistent partnership.” In this sense, their increased access to authoritative discourse does not simplify their writing challenge—probably the opposite is true. However, using the same primary tool of hypothetical speech, the group is able to test out the nuances of authority within their complex role and enjoy a highly productive period of collaboration.

While the group drew from deeply invested roles at points during this process (most significantly, when they were writing proposal recommendations), the group's role-play work included more instances of less invested, tentative, "for the sake of argument" roles. These roles were used to transition arguments between a non-serious mode of invention to a serious mode of actual writing. If a primary inventional tool the group devises in early role-play work is imagined delivery, the inventional tool the group devises later on is the "test" transition between serious and non-serious modes of invention, which they use to calibrate their authority.

The narrative has attempted to demonstrate that this tool functions in different ways as the writers attempt different kinds of writing tasks. When constructing value-based appeals within official discourse, the group relies on non-serious framing to explore and invent new arguments, as well as rethink existing ones. The group identifies potential snags and unintended consequences that can result as they attempt to appropriate values (such as "diversity"), which have been historically appropriated by different groups, in different contexts, for different purposes. Particularly, when the group attempts to move *non-serious* talk to *serious* text they identify too many possible unintended consequences and other potential limitations. Recontextualization can be risky when groups working outside official authority attempts to appropriate official values.

In the case of recontextualizing the "legal piece," the group has less fluency in exploiting the flexibility of the non-serious register to brainstorm together. Translating the technical legal argument into a less formal register (either for the purposes of brainstorming or for the purposes of creating an informal paraphrase) is quite difficult. This ability to "talk" from legal arguments is clearly a key literacy in policy discourse, as informally framing legal arguments, particularly inchoate ones that are not yet considered

authoritative, is fundamental to policy change. It's what allows novel legal arguments to "get a serious hearing." When the group tries to translate a highly nuanced legal argument into the non-serious register, however, they are unable to transcend the blunt exaggerations that typify selective depiction and non-serious register work. The group cannot use non-serious invention to render the nuance of expert legal authority, where novel interpretations strike a delicate balance between what is "legal" or "not legal," between "mandate" or "authority," and between textual "existence" and "proposal" for action.

Finally, in conversations where the group gets down to the work of writing proposal recommendations, the non-serious dialogues they invoke to articulate "what they want" and the serious register in which they compose these demands seem more congruous than when the group uses the non-serious register to invent other kinds of arguments. The group has little trouble moving fluently between an insistent discourse of entitlement and an official written register. However, this easy alignment between registers seemed to emerge only when the group moves from a broader proposal (DPB now!) to a more narrow one (leadership and soft benefits). The serious and non-serious modes are united, in other words, when the group narrowly circumscribes what they are asking for. In the end, the group ended up tempering the language of these proposal recommendations even more.

As the VP of HR advised them: "there is no magic bullet" argument in this case, as much as the "legal piece" offers the group some hope. The DPB writers could not locate the source of their authority in any one place. Yet, the group managed to be highly productive while generating arguments from within a very complex role. One possible explanation for the rise of less invested roles later in the group's work is the necessarily tentative nature of the writers' engagements of authority. Rarely could a singular,

discrete, deeply invested role encompass the complexity of stances embedded within the overarching role of “insistent partnership.” While role-play work that suggested deep, personal investment indeed emerged in the writers’ later work, the group could draw inspiration from these roles only in limited cases.

## **Role-Play Work and Modes of Conflict across a Feminist Collaborative Writing Process**

In their essay, “Why Write...Together,” Ede and Lunsford (1983) describe their collaborative process this way: “If you can imagine the words talk...write...talk...read...talk...write...talk...read...written in a large looping spiral—that comes closest to a description of the process as we know it. We wish especially to emphasize the frequency and proportion of *talking* in this process” (p. 152, *emphasis in original*). Scholars in rhetoric and composition have studied collaborative writing in a variety of settings (in academic disciplines, classrooms, workplaces, public policy). While the setting under question influences the nature of a group’s talk, just like whether the collaboration occurs face-to-face or online, in *any* context, collaborators “meet” and give each other feedback, evaluate different arguments and approaches, and “talk” in an informal register that complements the more formal register of their writing.

Rhetoric’s scant research into the role of talk in collaborative writing is thus curious, especially given the abundance of theoretical and conceptual treatment we’ve given the topic. For instance, in their well-known study of collaborative writing in different settings, Lunsford and Ede (1990 and 1992) posit two opposed modes of collaboration: hierarchical versus dialogic. They praise modes of collaboration that allow for difference and conflict (dialogic forms), rather than practices that treat difference as a “problem to be eradicated” (hierarchical forms). They cite Geoffrey Cross’s classic ethnography, *Collaboration and Conflict*, as a veritable case study of hierarchical collaboration in which “collaboration is linearly structured, driven by highly specific goals, and carried out by people who play clearly assigned roles” (p. 235). They also adumbrate a distinctively dialogic mode of collaboration, characterized by “loosely

structured,” fluid roles, shifting authorities with people migrating between roles, and “dialogic collaborat[ors] [who] generally value the creative tension in multi-voiced and multi-valent ventures” (p. 236). The contention is that this kind of collaboration fosters a different quality of invention—and a somehow more empowering and expansive experience of the author role.

While Lunsford and Ede clearly admire this kind of collaboration with its potentially subversive critique of hierarchical collaboration and what they describe as alternatives to modernist notions of authorship, they acknowledge that it is rare. While many of their interview participants sensed that it exists, few offer concrete experiences of this kind of collaboration or could articulate its characteristics fully. In a follow-up study, Alm (1998) interviews women writers in the academy and theorizes what she refers to as “intimate collaboration”: a process through which thought and meaning are generated in the safe space created through talk (p. 133). Alm refers to a few behaviors that emerge in these spaces—such as writers repeating each other’s words and finishing each other’s sentences—to describe how writers develop a “collaborative mind” that accomplishes more than any one writer could alone. Other scholars identify a special mode of collaboration that occurs (again) between women writers in the academy (Ashton-Jones & Thomas 1990; Kaplan & Rose 1993). As most scholars acknowledge themselves, instances of this “dialogic” collaboration are most commonly documented in relatively stable rhetorical situations (writing academic essays) in which writers’ authority is well established and their understanding of audience and purpose is secure. This raises the question about the relevance of “dialogic” collaboration in different writing situations.

Furthermore, while they mention the deep importance of talk in collaborative writing, none of these studies explicitly or systematically analyzes the work writers

accomplish through talk. In fact, the narrative chapters of this dissertation suggest that when we do look closely at talk in collaborative writing, we may have cause to complicate some assumptions about role-play and conflict within the categories of “hierarchical” versus “dialogic.” When the writers in this story invoked more deeply invested, fixed roles through talk (which would be considered less “dialogic” than “loosely structured,” “fluid,” less invested roles), they do not necessarily find themselves “eradicating difference” for the sake of consensus. As chapter 3 argues in detail, the group manages to forge a consensus that sustains discrete, deeply held perspectives. Similarly, the more tentative roles of “insistent partnership” and “living the conflict” between policy-making and policy-enforcing (considered in chapters 4 and 5), are clearly “multi-voiced,” “multi-valent” stances. Yet, they were constructed in response to the need to work within highly structured, hierarchical environments.

The DPB writers’ collaboration cannot easily be categorized as dialogic versus hierarchical. On the one hand, the writers fulfilled clear writing roles with tasks assigned in fairly consistent ways. The group had a “leader” who was authorized to make decisions on behalf of the group. On the other hand, the DPB writers all would likely identify themselves as feminists (a question I should have asked in interviews, I realize in retrospect). In meetings, they sometimes referred to a need to have a “feminist moment” to think about gender issues and their strategies. They organized discussions around conflict using a “Consensus minus 1” approach, following the organizing guidelines in the Lesbian Avenger’s handbook. Yet, while much of their collaborative work was conscientiously designed to be feminist in approach, they were very cognizant of the rhetorical constraints of their context—as they were working within a highly structured bureaucracy in which formalized hierarchies determined who could produce “authoritative” arguments. All these factors likely influenced the patterns of

collaboration that emerged, since the group's strategies were partially forged out of necessity as they worked to engage authoritative discourse from the outside in.

The DPB case can serve as a useful complement to research into feminist collaborative writing. Specifically, when we apply a micro-level lens to process and focus explicitly on talk, we can trace modes of collaboration that emerge in the writers' work and trace how conflict is managed. Similar to the narrative chapters, this chapter analyzes patterns of role-play work as writers embark on different writing activities at different stages of their process. However, unlike the previous chapters, this chapter identifies patterns not by close-reading episodes of role-play work and situating them within a narrative, but by systematic coding episodes and tracking them from a holistic perspective. The goal is to more deeply explore characteristics that have been ascribed to "hierarchical" and "dialogic" collaboration—and to complicate how different means of managing conflict might serve collaborative writers' goals.

### **RESEARCHING TALK IN WRITING**

The observation that the field of rhetoric has not paid enough attention to the *functional* role of talk in collaborative writing is not to say that we have neglected talk altogether. Researchers interested in writing process have long relied on talk-aloud protocols where participants write and/or read certain texts and are asked to "externalize" or "turn the volume up" on their thinking, producing a somewhat artificial sort of talk that can shed light on the cognitive processes behind reading, rhetorical interpretation, and writing. The most familiar example is Flower's (1984) study of early planning processes—which detected the dynamics of projecting roles onto one's audience and oneself to produce the "a-ha" moment of authorization, discussed in the introduction of



this dissertation. This kind of evidence can thus be very useful in tracing the mental frameworks and “tools” writers construct as they work to produce written texts.

Another common treatment of talk has been to track the frequency of key words or themes in writers’ talk and informal writing (such as journaling) that can then be used to assess writers’ development over time. This kind of evidence can be very useful in understanding how writers interpret and understand their work as writers. For instance, Haas (1994) tracks a biology student’s increasingly sophisticated perception of texts by quantifying how many times the student used action verbs depicting authors and texts *doing* things. Another example is Winsor’s (1995) “talk about audience.” Winsor tracks both the frequency and nature of how student engineers talk about their audiences as “talk about audience” illustrates writers’ understandings of their work as engineers—in particular, whether engineers simply impart facts, or engage in persuasion when they write. Both the Haas and Winsor studies reflect the common rationale for tracking talk in the first place: it is a location that evinces an evolving (or lack of evolving) *rhetorical awareness* that the discipline has long equated with a writer’s growing authority within a disciplinary setting.

Another common methodological assessment of talk in writing research has been to use talk to triangulate findings about collaborative writing process. In this case, collaborative writing process is the primary object with talk serving as a kind of supporting evidence to justify claims about process (Burnett 1991, 1993a, and 1993b and Syverson 1999). This approach is common in case study and ethnographic research. For example, Syverson (1999) video records student writing and observes how a group of writers talk. Syverson notices that the students’ talk is *incessant*, so much so, the writers get very little done. Observations about talk, in studies such as this one, function to validate claims about the success or failure of writing process. While such approaches

indeed assume talk influences writing process, talk is not analyzed systematically, structurally, or functionally as a coordinating activity that allows writers to *do* things.

Another application of talk is to trace patterns of discourse within a particular professional or institutional contexts—in studies where the field of rhetoric and composition overlaps with discourse analysis and linguistics, as in for example, in legal settings (Barton 2001, 2004b), medical settings (Barton 1996, 2000, 2004a; Lingard, Schryer, & Garwood 2003; Schryer & Spoel 2005 and Schryer, Lingard, Spafford, & Garwood 2003), and scientific settings (Lyne and Howe (1990). While not always explicitly focused on writing process, such studies often seek to compare “formal” and “informal” discourses—for example, in Barton’s (2001) comparison of “sanctioned” versus “non-sanctioned” medical narratives. Similarly, Berkenkotter (1998, 2001, 2002) tracks the movement between talk and text to demonstrate how psychologists “recontextualize” the words of patients in formal diagnoses. In other words, a common interest in rhetorical studies that trace talk and sometimes talk’s interaction with written text is to distinguish how authoritative and less authoritative texts are transformed and constructed (a methodology that resonates with chapter 5 of this dissertation).

A final approach to analyzing talk would be to systematically track talk in order to analyze *writing process*—an approach that would be most applicable for studies of collaborative writing or classroom interaction (as opposed to singular writers), for obvious reasons. Some studies apply this focus to investigate social interaction in computer-mediated communication and the networked classroom (Hartman, Neuwirth, Kiesler, Sproull, Cochran, Palmquist, & Zubrow 1991; Plowman 1994; Wolfe 2000). Others apply this focus because talk and writing are treated as parallel activities (Blakeslee 1997), and the patterns of behavior that emerge in talk are assumed to be as relevant to understanding writing process as when spoken words are written down. For

instance, Plowman's (1994) research into the role of talk in early invention and planning, which was influential for chapter 3 of this dissertation, documents how writers produce "mediating documents" in what Plowman describes as an "interfunctionality of talk and text," where invention occurs in a looping spiral between emerging textual and conversational forms. This last approach—where talk is tracked systematically to understand its function as an activity that parallels to writing—is described as a functional approach.

#### **A METHOD TO ANALYZE TALK FROM A FUNCTIONAL PERSPECTIVE**

This chapter analyzes talk in the same way as the last group of studies above—that is, as having a *functional* role in collaborative writing. This chapter proposes a method to systematically track episodes of talk—in this case, the specific kind of talk called hypothetical speech—and map those episodes to the group's evolving understanding of audience. In this sense, this chapter has a similar goal as Winsor's study of engineering students, since it is interested in longitudinal change of behaviors over time. However, talk is not considered corroborating evidence to make claims about a primary writing process, but as a sustaining parallel activity. In fact, actual "writing," meaning the inscription of words into text, is treated as just one application of talk in the coding schema discussed below. Also, similar to Winsor's methodology, this chapter presents a quantitative overview of episodes of talk not as findings themselves, but as a roadmap that points to areas that invite deeper qualitative investigation. To plumb these areas, this chapter posits interpretations by cross-referencing quantitative trends with information provided in the contextual narrative (in chapters 3, 4, and 5), along with close-readings of selected episodes.

Another major factor that distinguishes this chapter's approach is that it does not assume the same trajectory as Winsor's study (and most other studies—it is a common assumption in our discipline). In the case of the DPB writers, we cannot be assume that acknowledging the rhetorical nature of texts or understanding audiences as “active interpreters” and co-constructors of knowledge, necessarily equates to a more informed, mature, authoritative, or efficacious writing process. Instead, this chapter attempts to understand how specific writing behaviors coincide with the roles DPB writers' project in staged conversations. In addition, this chapter attempts to identify patterns of stability and disruption in these projections—to trace the nature of conflict.

This chapter analyzes transcribed episodes of hypothetical speech from group meetings over the course of the nine months when the group was actively writing the report. While episodes of hypothetical speech were also collected outside meetings, these episodes are not included. Neither are instances of hypothetical speech collected from members outside the group (i.e., the hunger striker or administrative insiders) although these episodes are included in the narrative accounts in chapters 3, 4, and 5. Transcribed episodes were coded using two dimensions: one based on the writing activity suggested by the episode itself (hypothetical speech allowing the group *to invent*, *to write*, *to revise*, and *to deliver*) and one based on the different modes of audience engagement (*Direct-to-audience, one-way*; *Dialogue-with-audience, two-way*; *Anticipated audience discussion*; *Reader response*, and *No audience*). As sections below illustrate, while the second coding dimension is ostensibly about *audience*, we can derive projected versions of speaker roles from modes of audience engagement.

## Categorizing Episodes of Hypothetical Speech Based on Writing Process

Categorizing each episode of hypothetical speech as *primarily* in service of one stage of the writing process was not always easy. Consider the episode below, an example of what will be termed *collaborative refinement*, where the group uses successive episodes of hypothetical speech to present and revise a proposed argument.

Ly: I can get one story like that through the housing. I'm actively working on that. And if we had something, "We got all the Deans, and they said this."

Ga: So for instance, you're thinking, "We didn't get to hire this really cool researcher. Ultimately ended up doing this research that UT would have had, that now we don't..."

Me: Or, even, so those kinds of stories, or "80% of people who responded to the survey said yes, we have lost faculty because..."

Li: "80% of department chairs consider themselves to be at a disadvantage in retention and recruitment because of this."

Ix: That would be great.

Ly: (Writing down on a pad of paper) Do you want to say that sentence again? Because it was a really good sentence.

This episode is clearly intentional as the group is brainstorming new arguments with each staged dialogue. However, the invention occurs through revising and refining an initial idea, until it is deemed so "good" one member writes it down, not as an idea, but as a "sentence." Should this behavior be coded as *primarily* in service of invention, revising, or actual writing out-loud?

Similarly, in another episode (below), group members brainstorm report recommendations by staging conversations with their audience—seemingly a clear case of invention. The practical problem of proposing a policy model in this case makes one group member leery of certain recommendations.

VP of HR: But I think you're right, you can say, "We think there's this argument, but whether that works or not, we'd like you to try to find a way to make it happen."

Li: That's what I'm concerned about. I don't want to say, "Do it this way," and then they'll say, "Well, can't do it that way."

VP of HR: Your request should say, "We want you to pursue this, as a possible way, but if that doesn't work, can you come up with a plan b or c or whatever."

In addressing a possible problem of proposing too specific a policy model, the group locates a more reliable approach of offering multiple models. These staged dialogues came to structure the writing of the proposal and the actual delivery of the report to administrators a few months later. Should these staged dialogues be coded as *primarily* in service of invention, writing, or delivery?

Episodes like these suggest the flexibility of analyzing collaborative writing from the vantage point of hypothetical speech as it is a resource writers appear to be able to use while engaging different stages of the writing process. However, this flexibility also poses a practical methodological challenge: how to reliably categorize episodes to track them over the course of a writing process? For purposes of coding, I addressed potentially ambiguous episodes by classifying instances based on what is produced as a result of the dialogue. Instances in the first example above would be coded *to invent* because, although the group actually "writes a sentence down" and the register shifts from informal to more formal, the actual written text is more of a space-holder or "template" for future content rather than writing that comes to actually be included in a draft of the report ("stats" brainstorming with the dummy figure of "80%"). While in a sense, all staged dialogue is intentional, there were indeed episodes in which the group "writes out-loud" with one group member transcribing sentences that come to be included in a report draft. Only when actual written text is produced (something that was relatively rare in the group's process) would an episode be coded as hypothetical speech *to write*.

Instances in the second example above would also be coded *to invent* because, while the group members are clearly brainstorming delivery strategies and while they also produce some ideas for how recommendations should be written, they do not produce actual written text. They produce a plan for future writing. Episodes in which group members use role-play to brainstorm delivery strategies, usually with the report as a holistic object rather than about specific ideas that what *might become* written text, are coded *to deliver*. In other words, potentially ambiguous episodes of hypothetical speech were coded based on the actual product that is achieved as a result of the dialogue: planned written text (*to invent*), actual text to be included in the report (*to write*), a planned revision or small (word-level) revision of written text (*to revise*), and a strategy for delivery that doesn't clearly offer up a plan for future written text (*to deliver*). Table 3 provides descriptions and examples of data within this coding scheme.

Mode	Description	Example
To invent	Episodes in which the group identifies a new idea or argument, most often in the informal register of talk (not actual text to be written down)	There are people who want the opportunity to register their support for domestic partner benefits by saying, "Really, this has not come up in my job or my life but yeah, I'm sure I could improve my recruitment and retention and climate."
To write	Episodes in which the group produces new text to be included in the report, where the informal register of talk shifts into the formal register of the report; in these episodes, a group member often transcribes the orally produced text	It's a really good point that it should be somebody's job. How can we set it up so that it's somebody's job at the chancellor's office? So basically, recommend to the President, that "as you bring this to the chancellor, that he, that you, that the chancellor appoint a system attorney to figure out a legal strategy."
To revise	Episodes in which the group evaluates and/or makes a plan to revise written text; also included minor, sentence- or word-level revisions that were actually made to written text	I wrote that. (Reading) "No barriers." There are no barriers!"  I mean, there's a naiveté of us saying, I mean, we're going around, "well there isn't a state law, there isn't!" and all they're saying is "there is a state law." And at some level, we probably need to address that.
To deliver	Episodes in which the group plans or envisions the delivery of the document, and in which the group does not produce (or plan) written arguments that come to be included in the report	I think that people who want to do it can just hold up a stack of 36 sheets and go, "We got this report and they should do it." People who don't want to do it aren't going to read it. They're just going to say "No. I don't care about that."

Table 3. Coding Examples for Writing Activity



### **Categorizing Episodes of Hypothetical Speech Based on Mode of Audience Address**

The second dimension of coding was based on the nature of audience engagement: Direct-to-audience, one-way; Dialogue-with-audience, two-way; Anticipated audience discussion or response; Reader response; and No audience. These categories were generated inductively from the data. The episode below (the same one used above) includes three separate instances of dialogue with two distinct modes of invoking audience. The first group member uses Direct-to-audience, one-way, and the second group member responds in Dialogue-with-audience, two-way. The first group member then responds with another episode of Direct-to-audience, one-way.

VP of HR: But I think you're right, you can say, "We think there's this argument, but whether that works or not, we'd like you to try to find a way to make it happen." (Direct-to-audience, one-way)

Li: That's what I'm concerned about. I don't want to say, "do it this way," and then they'll say, "Well, can't do it that way," (Dialogue-with-audience, two-way)

VP of HR: Your request should say, "we want you to pursue this, as a possible way, but if that doesn't work, can you come up with a plan b or c or whatever." (Direct-to-audience, one-way)

Unlike coding episodes for writing activity, coding episodes for mode of audience address was straight-forward; episodes fit easily into an obvious category. The only limitation of this schema was that, on several occasions, one mode of audience address would inspire another. Above, for example, a group member expresses reservations about a strategy by staging an unwanted dialogue. In this way, *Direct-to-audience, one-way* clearly inspires the back-and-forth staged dialogue that follows (Dialogue with audience, two-way). The question arises if the episodes would exist without each other. Another common coupling of modes occurred when the group was revising together. In the example below, a *Reader response* instance of audience address (in which a writer

performs her own thinking in the past tense), inspired *Direct-to-audience, one way* dialogue.

Obviously, we're pissed off and all kind of things come into this when we start writing, but I, as I was going through [the report] I was thinking, "Every time I read the answer to a question, I want to see fairness and competitiveness. And not necessarily emotionality." But it's more, "Hey look, we gotta be fair and just, legal and competitive. And it's not necessarily about morals and what's right."

In this case, the writer's performance of *Reader response* helps her launch into a direct engagement of audience. Another example (provided in the example in the first row in Table 4 below) is where *Direct-to-audience, one-way* inspires successive dialogues and repeat performances in the same mode.

To be able to capture the patterns of combining different modes of audience address, as well as the frequency of instances taken as individual entities, an additional flag was applied for common couplings. Table 4 describes and provides examples of the categories applied for the different modes of audience engagement. Patterns between these different modes are presented in the discussion and in Table 5.

Mode	Description	Example
Direct-to-audience, one-way	Speaker addresses the audience directly, with no response from audience provided	Ga: And I think that there's ways in and I think we can talk about that, but I think we gotta stay in that competitive, capitalist, "Do you really want to be the best university?"  Ix: "Be number one?"  Ga: "Because you ain't gonna be it! Not if you keep doing this!" (3 instances)

Table 4. Coding Examples for Mode of Audience Engagement

Mode	Description	Example
Dialogue-with-audience, two-way	Speakers address audience and perform possible audience response. These episodes are not split into separate instances of “direct to audience, one way” and “anticipated audience” because the speaker intends to represent a dialogue	But I think that there is a difference because we have people that are at the higher ups. That are saying "Oh, for me to do this, I need this information. I need this information." And we're like "Okay, we're going to get you that information." Instead of "Here, we've put all this stuff together now and we want you to look at it," and they're like "Naw, I don't want to look at it." (2 instances)
Anticipated audience discussion or response	Speakers perform how audiences might dialogue with each other without interjecting themselves into the conversation	And it depends on who the director is, and if a few....take my director, she's going to think she's very progressive. She'll say, "Oh no! Because we create a climate here that is wonderful, so they're fine." (1 instance)
No audience	Speaker brainstorms an idea or argument that is not addressed to a particular audience	That would change the benefit structure for everybody. Now everybody could have [benefits]... [which] would be great. Everybody could, like if you don't have a partner right now, you don't have benefits for another person so but if you do have a legal partner, you do have benefits for a legal person. So part of our equity argument is “Well, I do have a partner, it's not my faulty she's not legal, and why can't I have the same compensation as someone who can get legally married.” (1 instance)
Reader response	An expression of a speaker’s response to something written, performed in the first person and usually in the past tense.	I don’t know if we have it completely devoid of that, I think how it’s written, it’s not going to be an issue. I think it’s like one of the questions that I didn’t actually answer because I was like, “I don’t care about that part.” (1 instance)

Table 4. Coding Examples for Mode of Audience Engagement Continued

## FINDINGS AS QUESTIONS FOR DEEPER INVESTIGATION

This section presents the results of the coding. Table 4 lists the results for both dimensions: mode of audience address and writing activity. *Direct-to-audience, one-way* was by far the most common method of engaging audience, with almost half of the instances in this category (70 of 155, roughly 45%). It was also by far the most prevalent across all writing activities except dialogue coded *to write*. *Dialogue with audience, two-way* was the least frequent mode of audience engagement, but not far less than *Reader response*. *To invent* was by far the most common writing activity also with close to half of the episodes (66 of 155, roughly 43%). By far the least frequent activity was *to write* (17 of 155, roughly 11%).

Mapping modes of audience address to writing activity produced some commonsensical results, but also a few results that are less intuitive and invite deeper investigation. It is no surprise, for instance, that hypothetical speech in service of delivery never occurred in *No audience* mode. Delivery in dialogue means addressing an audience explicitly; audience is always present by virtue of mere sentence structure. However, it is less obvious why hypothetical speech coded *to write* most commonly involved an overt lack of audience. A question to be explored in the discussion (below) is thus: why does actual writing out-loud most commonly emerge from *No audience* dialogue (the most uncommon mode) and only rarely through *Direct-to-audience, one-way* dialogue (the most common)?

	To invent	To write	To revise	To deliver	Totals
Direct-to-audience, one way	31 (20%)	4 (3%)	16 (10%)	19 (12%)	70 (45%)
Dialogue-with-audience, two way	8 (5%)	0	2 (1%)	6 (4%)	16 (10%)
Anticipated audience	14 (9%)	0	5 (3%)	9 (6%)	28 (18%)
Reader response	6 (4%)	1 (> 1%)	10 (6%)	1 (> 1%)	18 (12%)
No audience	7 (5%)	12 (8%)	4 (3%)	0	23 (15%)
Totals	66 (43%)	17 (11%)	37 (24%)	35 (22%)	155 (100%)

Table 5. Frequency of Writing Activity by Mode of Audience Engagement

### Results by Quarter

Coded instances of hypothetical speech were also organized into quarters so trends can be viewed from a rough chronological perspective, as well as be situated in relationship to events in the narrative (chapters 3, 4, and 5). To arrive at quarters, the number of meetings was simply divided into four roughly equal groups. Quarter divisions map to the following stages in the writers' process:

*Quarter 1: Construction of a stable mediating document.* The first quarter was the period of early writing before the hunger strike when the group used hypothetical speech primarily to come to consensus regarding what they could hope to accomplish with the report (discussed in Chapter 3). During this period, the group talks about what the report should do, writes the first draft of the report (writing independently, with different group members working on different sections), then, meets to provide their feedback on the first draft (which is why revision is already present in the first quarter, as shown in Figure 1).

*Quarter 2: Hunger strike, followed by insider consultations.* The hunger strike marks the beginning of quarter 2, during which the group met and talked about the events of the hunger strike, continued working on their report and also received counsel from administrative insiders and legal experts who visited group meetings in the wake of the hunger strike (discussed in Chapter 4).

*Quarter 3: Period of highest productivity.* The “return to business as usual” marks the beginning of quarter 3 for the group where the writers quickly produce the remaining portions of the report. They did by far the most collaborative writing during this time (meaning, actual writing-out-loud in meetings, but also producing the bulk of the content); they also spent time framing the legal argument and writing the first draft of report recommendations (discussed in Chapter 5)

*Quarter 4: Revisions and preparation for report delivery:* By the last several meetings, the report was almost completely written, and the group spent most of their time revising the report together (especially the recommendations). They also considered input from a report draft that was reviewed by an administrative insider (the Vice President of HR). They then planned the meeting with administrators in which they would “hand-off” the report and request administrative action (discussed in Chapter 5).

Figure 1 presents instances of hypothetical speech coded by writing activity across the four quarters. One clear trend is the role delivery plays across specific stages: notably, its dominance in the first quarter where it is even more prevalent than invention, its precipitous decline when invention becomes dominant in the second quarter, and its notable absence from the third quarter when the writers are most productive and the most *to write* episodes of hypothetical speech occur. Another question to be explored in the discussion is thus: Why does a heavy emphasis on delivery seem competitive with invention initially and almost antithetical to writing out-loud? Another finding that

warrants further investigation is the heavy role of dialogue *to invent* in quarter 2 where, more than any other quarter, invention seems unaccompanied by any other writing activity. This trend contrasts with quarter 1 where delivery coexists with invention, and quarter 3 where invention, writing, and revision co-exist almost equally.

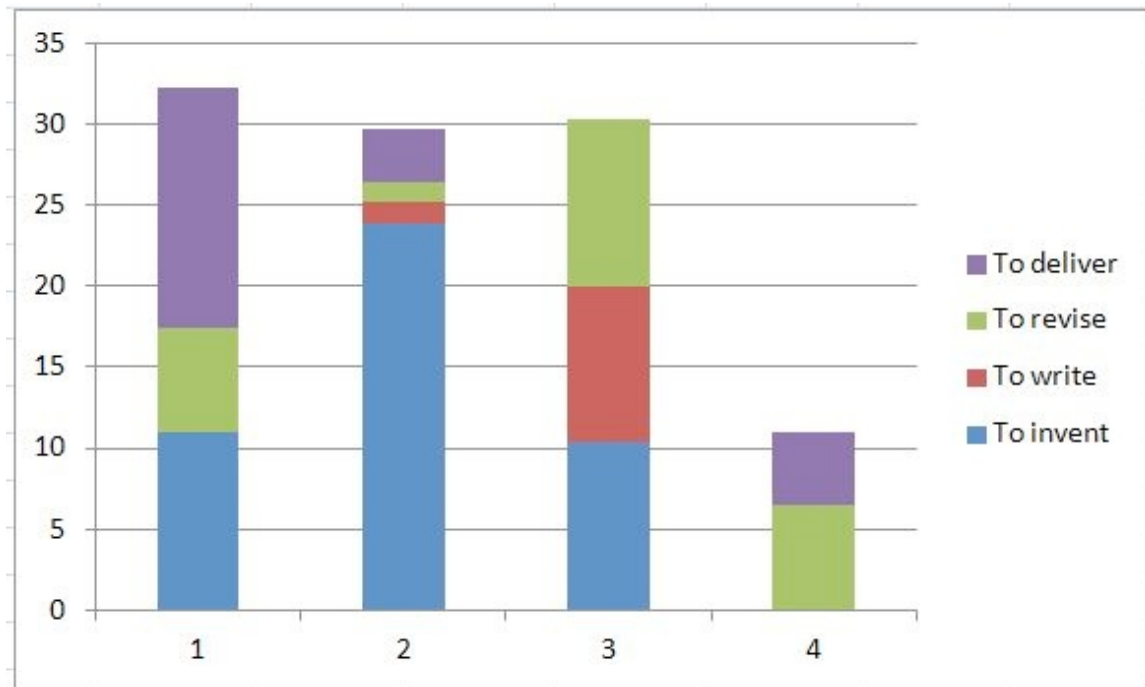


Figure 1. Writing Activity by Quarter (by Percentage)

Figure 2 presents episodes of hypothetical speech coded by audience engagement across the four quarters. One obvious finding worthy of further exploration is the dominance of *Direct-to-audience, one-way* dialogue across all four quarters. Not only was it the most dominant mode overall (with 45 % of all instances, as seen in Table 5), and the most dominant for all writing activities except writing itself (also seen in Table 5), but it was also dominant across the group's process longitudinally. What is it about this mode of audience engagement that makes it such an ubiquitous collaborative writing

tool? The prevalence of *No audience* dialogue in quarters 3 and 4 is also noteworthy. (As will be discussed in more detail below, the presence of *No audience* dialogue in quarter 1 is more of a data fluke than a legitimate trend. *No audience* dialogue does not truly emerge until quarter 3.) Finally, the third quarter, in which the bulk of actual writing and revising takes place, has the most *Direct-to-audience, one-way* dialogue, *as well as* the most *No audience* dialogue. And, the fourth quarter, when the group was most secure in its purpose and no new invention or writing was occurring, is comprised *only* of these two modes. A final finding to be explored in more detail in the discussion is thus why these two modes of audience engagement coexist as the group progresses in their work, particularly since the two modes seem so different on the surface. What does this coupling suggest about dialogism and role-play work as the writers' process evolves? What unique facility or literacy is the group acquiring as writers in this particular case of contested authority?



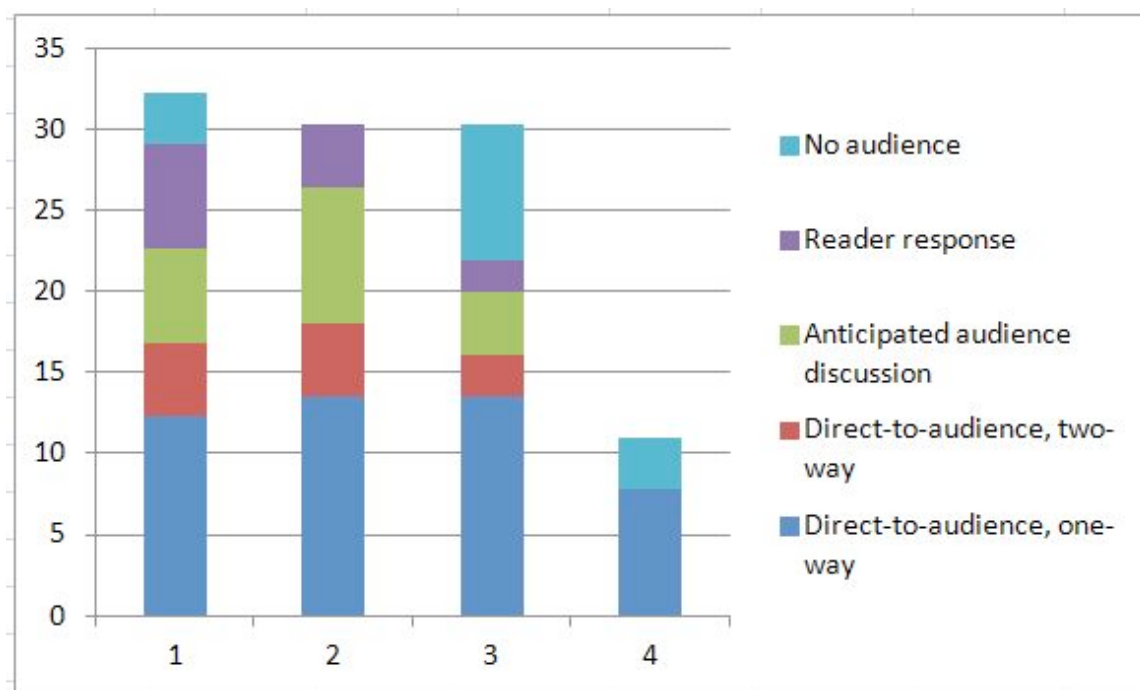


Figure 2. Audience Engagement by Quarter (by Percentage)

## DISCUSSION

### An Ubiquitous Tool: Direct-to-Audience, One-Way Dialogue

If each mode of dialogue can be categorized in terms of the kind of audience it invokes, more than any other mode, *Direct-to-audience, one-way* invokes an audience that is *highly* present in the group's imagination, but silent. If each mode of dialogue also enables writer to invoke a certain version of themselves as speakers, *Direct-to-audience, one-way* enables group members to envision themselves making strong, forceful arguments directly to institutional authorities (or to authority in a more abstract sense, personified as "you"). This mode of dialogue thus reveals work the group members engage in to actively imagine and construct their own potential authority while simultaneously addressing an audience. This trend suggests something that is

unsurprising to scholars of rhetoric—that writers most actively imagine versions of themselves in dialogue with an imagined audience. However, looking deeper at various episodes of dialogue reveals something more surprising: the ubiquity of this mode of audience engagement across the writers’ process and its flexibility to support very different collaborative writing activities: culmination, correction, and refinement.

### **Culmination**

Consider the following episode where *Direct-to-audience, one-way* dialogue functions as the *culmination* of an imagined encounter with an administrative insider who was considered an authority on the legal question:

Ly: “So you know her?”

Li: “Only because I’ve had this conversation with her about five million times. It ends at the door.”

Ly: “The law.”

Li: Yeah.

Ly: You know, “there’s a law in the way.” It’s like, “whatever, there’s always a law in the way.”

Ix: “Can you DO something about that?”

Li: Yeah, that’s my question! “You’re a LAWYER!”

This episode begins with a kind of informal reported speech (the simple response, “the law” represents the gist of a prior conversation—shorthand for how so many conversations fail, as discussed in the narrative of chapter 4) and progresses to a *Dialogue-with-audience, two-way* episode, in which one group member speaks back to the stock response that DPB is “against the law.” Two other group members then build on this “talking back” in *Direct-to-audience, one-way*, making more forceful demands that reverse the logic of legal expertise (“You’re a LAWYER!” [so, you should be able to do

something!])). The same authority that is used to evince the institution's powerlessness is appropriated to warrant a certain individual's action. *Direct-to-audience, one-way* not only allows the group to transform the complex discourse of legal agency into a question of personal agency, but also allows the group to position themselves as authorities in the exchange.

Of course, it is clear that these words would never be delivered to the administrator in this form; it is a playful aside. In a sense, this performed confrontation with authority is also reductive as it renders complex and technical legal constructions of institutional agency into a simple demand for action. In fact, this particular "talking back" strategy is the same one used by the hunger striker—demanding personal agency when an institution refuses to act. While the group's purpose and strategy is different from the hunger striker's, the message of "DO something about the law with your legal expertise" indeed ended up becoming the central formal message presented in the more diplomatic register of the report (as is discussed in chapter 5). In this sense, *culminating* dialogues, like this one, allow the group to inject authority into imagined, informal exchanges and thus sustain a collective perception of what they might achieve within their rhetorical situation. They are admittedly blunt assertions, but provide fodder that can be complicated or tempered to suit the group's needs.

### **Correction**

*Direct-to-audience, one-way* was also the mode group used to straddle registers (as is explored in chapter 5). As the group members wrote together, their use of dialogue allowed them to move prospective arguments between the "serious" mode of actually producing written text and the "non-serious" mode that offered up the "gist" of the message. This behavior could serve the writers to produce a *culmination* (where the group's "non-serious" mode offers up a highly playful statement to reinforce or

eventually morph into a formal statement, as in the statement “You’re a lawyer!”), or this behavior could be used to temper the group’s sense of authority (a *correction*). For example, consider the following episode where a group member explains her rationale for a requested revision: “Some of the...recommendations had a little bit of tone of entitlement, and I think we need to start with a voice of partnership. Versus, ‘you guys need to do this, dammit!’” The speaker uses dialogue to characterize a tone that is too demanding—something to be stripped out of the report. She uses *Direct to audience, one-way* to delimit the boundary of the group’s authority—the precise point the group ceases sounding authoritative and begins to sound petulant, bratty. In fact, *Direct-to-audience, one-way* is often the mode that inspires an instance of collaborative *correction*: where one version of the group’s projected authority has to be corrected by another performance of dialogue (usually with the audience speaking, although the example above corrects the “tone of entitlement” by performing an undesirable tone in the group’s own voice).

### **Refinement**

A third regular pattern, in addition to *culmination* and *correction*, was *refinement*. *Refinement* is similar to *culmination* as its hallmark is the repetition of ideas in successive episodes of staged dialogue; however, with *refinement*, the group locates a stable-enough consensus about authority where the writers can collaboratively *refine* an idea, sometimes until it is “good enough” to write down, as in the “80%” statistic episode.

Ga: So for instance, you’re thinking, “We didn’t get to hire this really cool researcher. Ultimately ended up doing this research that UT would have had, that now we don’t...”

Me: Or, even, so those kinds of stories, or “80% of people who responded to the survey said yes, we have lost faculty because....”

Li: “80% of department chairs consider themselves to be at a disadvantage in retention and recruitment because of this.”

Ix: That would be great.

Ly: (Writing down on a pad of paper) Do you want to say that sentence again?  
Because it was a really good sentence.

*Refinement* is similar to *culmination* in the sense that the group reinforces their authority to make a certain statement. However, *refinement* differs from *culmination* in the sense that, with each successive performance, the group moves closer and closer to what chapter 5 refers to as the “serious register” of actual writing. This observation does not mean that *refinement* always resulted in actual writing (which would be coded *to write*)—but sessions of refinement at least always produce a proposed idea (which would be coded *to invent*). With culmination, the group reinforces its authority by moving deeper into the non-serious mode of pretend audience address, and ideas that were produced do not necessarily map to a planned written argument. In culmination, the writers project a playful and permissive version of their authority. In refinement, they project an anchored, earnest voice that is tempered enough to shape actual writing.

In summary, *culmination* thus reinforces the idea-as-articulated, *correction* challenges or destabilizes it, and *refinement* moves it closer toward the realm of “real” writing. Importantly, *Direct-to-audience, one-way* was used for all three writing activities. It served as an inventional launch-pad of sorts where collaborators could try out versions of authority that might travel in different directions, depending on the group’s perception of the rhetorical situation: toward increase (*culminations*), toward limitation (*corrections*), or toward stability (*refinements*). These were the precise inventional patterns that emerged when writers use Direct-to-audience, one-way to test out their voices *as received by imagined authority* which could result in a stabilization or destabilization of their own perceived authority.

### **Culminations, Corrections, and Refinements Across Quarters**

Observing the frequency of these patterns over time can thus reveal how the writers' stabilization and destabilization of their own authority maps to stages in their writing process. Table 6 lists the frequency of *culmination*, *correction*, and *refinement* across the four quarters. The frequency of episodes are far too small to make broad claims about these patterns; however, we can triangulate these patterns with findings in the narrative to posit tentative connections between the writers' projected authority, the stabilizing or destabilizing impact on collaborative dynamics, and the actual writing work accomplished.

For both quarters 1 and 2, *culmination* (where a group member presents a culminating "aside" that overstates the group's authority) and *refinement* (where the group sustains a stable perception of their authority and subtly refines each others' arguments) were equally present. This trend suggests that these behaviors function in relatively the same way when the group employed dialogue in service of *delivery* (to locate a mediating document) and in service of *invention* (to plan future content). However, *correction* (that is, a performance of dialogue that challenges or "corrects" the authority presented in another writer's performance) was far less prominent in quarters 1 and 2 compared with quarter 3. This trend seems counter-intuitive when triangulated with the narrative. Quarter 1 was the period of least consensus among the group (when the group had the most conflicted understandings of the role and purpose of the report, and their ability to legitimately engage legal arguments). In contrast, quarter 3 was the period of greatest productivity when the group was most stable in its perception of the role and purpose of the report. At this highly productive stage, *refinement* and *correction* are most dominant, and *culmination* (which suggests playful, permissive invention) is less so.

Quarter	Culmination	Correction	Refinement	Totals
1	5 (12%)	1 (2%)	5 (12%)	11 (27%)
2	3 (7%)	1 (2%)	3 (7%)	7 (17%)
3	3 (7%)	7 (17%)	9 (22%)	19 (46%)
4	1 (2%)	0	3 (7%)	4 (8%)
Totals	12 (29.5%)	9 (22.5%)	20 (48%)	41 (100%)

Table 6. Culminations, Corrections, and Refinements by Quarter

Before interpreting these trends, an important caveat is needed: these numbers only represent when these behaviors occurred in staged dialogue. (Groups regularly disagreed with each other's assumptions while not using hypothetical speech to do so). However, these trends do suggest that the direct conflict and destabilization of perceived authority that *correction* implies is not strongly associated with *to deliver* episodes when the group is most unsure about the role and purpose of their report and their authority as writers. Instead, *correction* was most frequent when the group relied on dialogue to write arguments together in a formal register. One explanation may be that *correction* is most common when the group is actually responding to or producing written text. There may have been more leniency in the group's dialogues when they are playfully brainstorming stances and possible ideas (in the early stages of writing). Later in the process, when a statement was offered up that seemed to overstep the group's authority, group members were more prone to correct each others' performances. It could also be that it was not until the group was conscientiously working to engage a defined rhetorical stance—that of *insistent partnership*, as is discussed in chapter 4—that heavy *correction* played a role. In other words, formulating arguments within this complex role required writers to pare arguments to locate nuance. In any case, the group was more likely to be directly critical of each others' ideas (at least in staged dialogue) not in the early inventive stages, but

deeper in the work of writing and not when their mediating document was least stable, but when it was most so.

In terms of writing process, if we characterize dialogic collaboration as a mode in which conflict is tolerated (rather than corrected)—it occurs when the group is doing less actual writing and when writers struggle to locate a stable authoritative role. This finding parallels an observation about the tool of staged delivery in chapter 3: that writers used it to offer up parallel roles, even highly contradictory roles, without directly contradicting each other. These roles, which were fairly static and deeply invested, could co-exist in the group’s imagined scenarios of delivery without initially requiring resolution. Once the group members locate an authoritative role, establish more consensus, and their writing process becomes more generative, they are more prone to directly “correct” each others’ ideas (at least in staged dialogue). As the narrative reveals, this trend occurs when the group assumes a “multi-valenced” role, in which multiple, “tentative” stances are present. In this case, binary versions of roles and conflict do not map neatly to the modes of dialogic versus hierarchical collaboration, where one mode (dialogic) fosters and tolerates conflict with tentative roles, whereas another mode (hierarchical) eradicates and resolves conflict with well-defined, static roles. In this case study, it is more accurate to say that vested, static roles emerged in the midst of permissive conflict, and multi-valenced, tentative roles emerged when conflict was less actively fostered. Thus, when we closely examine the talk that typifies role-play work, writers may invoke different combinations of these characteristics: static, invested versus tentative roles, direct “correction” of conflict versus “permissive” toleration of conflict.

A final trend suggested by Table 6 merits commentary. In quarter 3, *correction* and *refinement* seem to co-dominate as the two major forms of collaboration. This observation is also somewhat counter-intuitive, as *correction* implies a conflict or



destabilization in the group's perception of their authority, whereas *refinement* implies sustained stability—a consensus that lasts long enough for the group to collaboratively rework an idea. A certain kind of conflict in performed audience response—with its momentary destabilizing or challenging of the group's imagined sense of authority—is not incompatible with the group's capability to sustain a stable consensus about their authority. This trend suggests a third means of invoking conflict in collaborative dynamics: an oscillation between periodic destabilization and temporary consensus—a pattern that (as the following two sections illustrate in more detail) typifies the group's most active and productive writing period.

### **Stable-for-Now Authority and the Disappearing Audience**

As is noted above, the third quarter of writing was the most active in terms of writing and revising (see Figure 1), and modes of audience address were split between *Direct-to-audience, one-way* and *No audience* (see Figure 2). On the surface, these two modes seem to be opposed. As is argued above, using *Direct-to-audience, one-way* address, the group actively explores the possibilities and limitations of available roles vis-à-vis an actively addressed audience. In *No audience* dialogue, the group performs audience-less invention, thinking up words and arguments not addressed to anyone. *No audience* episodes could occur when a generic or “universal” audience was assumed, when the audience was implied someplace outside the actual dialogue, or when the concept of audience was so stable it need not be addressed explicitly. For example, in the following instance of *No audience* dialogue, one group member worries the tone is “uppity” and begins to “play with [her] words” out-loud.

Ly: Because when you say "on the contrary" there's a little uppity something to that. And so "the board of regents is free to find," is free to find sounds kind of funny.

Ix: It does.

Li: The board of regents...

Ly: All right, can I just play out-loud with my words? "Is there a board of regents resolution against this? No, and in fact, we would expect the board of regents would want to recruit and retain the best faculty and staff possible; therefore, we're suggesting...a legal way to do that under this particular political world"...uh don't say that.

Li: How about, "there is no legal restriction, no *something* restricting the board of regents from providing such benefits."

In this episode, the group members attempt to compose together in a more formal register of writing, which is difficult (likely why it was rare). Although it is clearly assumed that the Board of Regents is being addressed, this episode is an example of *No audience* talk because the group does not "talk to" their audience directly. This example suggests the key aspect of talk that is in service of *writing* more than any other process: writing out-loud explicitly requires audience to be so stable and internalized that it is absent from performed address.

*No audience* dialogue enabling the group *to write* (the most common coupling) was invoked several times when the group worked on report recommendations, which is striking since recommendations are so strongly geared toward asking something *of someone*. These episodes suggest one condition that results in an audience's disappearance from talk: when the audience is already built into a highly stable "mediating document" in the group's imagination—in this case, the proposal genre. In fact, *No audience* dialogue in service of writing only occurred when there was a strong consensus about both the nature of the audience, the group's authority, and the topic in general, as in the following episode:

Li: I have a huge, huge recommendation that we need to discuss. This happens to be page 4. I think that one of our recommendations needs to be: "immediately offer all benefits not covered by state law, including dental, vision, and life."

Ka: I had the exact same...soft benefits!

Li: Why the fuck not!

Ka: Immediately, the university of...

Li and K in unison: North Carolina! [giving each other a high five]

Ka: Exactly.

It is arguable that, unlike other modes of dialogue that make audience intensely present (often to play with versions of the group's authority), a strong consensus and given assumption about the group's authority is necessary for collaborative writing to be sustained (for an episode of *refinement* to produce actual writing). This trend is observable in the following example.

Ly: He was saying, "you also need to be including that, 'we're going to lose domestic partnerships that are in the ranks we don't talk about very much.'"

Li: "But are crucial to the running of the, it's actually hard to..."

Ly: "Crucial to the running of the university..."

Li: "Crucial to the running of the university and that these are job titles that are, it's hard to keep people in those jobs. There's high turnover."

Me: "High turnover"

Li: "There's high turnover in those job ranks."

Successful episodes of dialogue in service of writing, like this one, where the group writes out-loud together, usually includes heavy repetition and even sometimes words in unison. Group members repeat each other's comments, sustaining audience-less address and producing text by reinforcing each other's "writing." *No audience* dialogue in service of writing is thus where the boundary between text and talk becomes most permeable.

This mode differs markedly from the more invention-oriented processes of *Direct-to-audience*, *one-way* dialogue, in which the group members explore different positions vis-à-vis their audience, and the audience is made highly present—possibly to be destabilized. In *No audience* dialogue, the group's and the audience's perceived authority locks into place for a moment and is shared by all members of the group—becoming *stabilized-for-now* to use Schryer's term (1993). While studies suggest solitary writers become stymied when they cannot locate or envision their audience, successful collaborative “writing out-loud” requires an audience so stable in the group's imagination, it can “go away.”

If perceptions of audience must be stabilized before collaborative “writing out-loud” can occur, it makes sense that the bulk of these episodes occur in the later stages of writing, after the hunger strike, when the group had both a more stable sense of purpose. However, Figure 2 also illustrates that *No audience* dialogue also occurred in the early stages of writing (while not a single instance of *to write* dialogue occurred). In fact, all five instances of *No audience* dialogue in quarter 1 were *to invent*, and four out of the five were connected to survey questions the group was composing at the time. (Unlike the report at that stage, the survey was a more stable genre with the interaction with audience more securely positioned in a known “mediating document”). The fifth episode, however, is more striking as an episode of pure, “audience-less” invention. In an episode in which the group debates policy models, one group member “thinks out loud” about what arguments could be relied upon in each model:

Li: ...But if you do have a legal partner, you do have benefits for a legal person so part of our equity argument is well, "I do have a partner, it's not my faulty she's not legal, and why can't I have the same compensation as someone who can get legally married." So that argument is not going to be the argument. It's going to have to be a bigger social justice argument. Which seems very hard to make.

Ga: Hard for us to make. [Group laughs]

Li: It's actually kind of easy for us to make but hard for us to get a hearing for. I don't know Ix, what do you think?

Ix: I don't know.

This case of audience-less invention is the *only* time the group used dialogue to generate ideas while conceiving of audience in generalized, universal terms. In other words, rather than engaging a specific actor or a group of actors in the institution, the group member seems to be considering the argument almost a-rhetorically, as a matter of abstract logic. The rarity of this behavior suggests the difficulty of collaborative invention without an expressly present and addressed audience, which contrasts with the absolute necessity of the audience to “disappear” when actual writing out loud occurs.

### **An Emerging Literacy: Audience Invoked, Audience Disappeared**

The sections above demonstrate how, in the case of the DPB writers, imagined scenarios of delivery were invoked when the group's perception of audience was least stable. Conversely, writing-out-loud occurred when audience was so stable it could “disappear,” becoming internalized in the writers' minds, and the group's talk could transform into text. It does not follow, however, that *Direct-to-audience, one-way* dialogue (the mode aligned with delivery) was absent from the group's later process, nor that *No audience* dialogue was uniformly dominant in the later stages. Instead, as is clearly visible in Figure 2, these two modes co-dominate quarter three, and are the *only* two modes present in quarter 4. This observation raises the question about a unique form of literacy that emerges as the writers' work progresses: a skill of diminishing and re-invoking audience, that is, crafting an authority that is *stable-enough-for now* to accomplish writing, then destabilizing it in interest of generative conflict. This interpretation is supported by the coding in Table 6, which suggests that the period of the

group's highest productivity (quarter 3) was split between *refinement* (which suggests a sustained, stable audience), and *correction* (which suggests an invoked audience response that challenges and destabilizes another group member's performance). This method of alternatively suppressing and invoking conflict that emerged as the group's process evolved does not fit squarely within the category of "dialogic" or "hierarchical." Writing out-loud only occurs when conflict can be momentarily set aside—when consensus occurs, role becomes fixed, and audience disappears. However, this mode of invention is complemented with its counter-part—where audience is re-invoked in staged direct address—to temporarily destabilize assumptions about the group's authority.

## CONCLUSION

Interpretations gleaned from naturalistic observation do not necessarily generalize reliably to other contexts, nor do they provide clear causal explanations for why observed behaviors occurred. The patterns of behavior described above may be indicative of how writers develop increasing literacy within policy discourse (or in other contexts where writers are not necessarily receiving structured mentoring or granted greater authority by virtue of their mere participation). Or, these behavioral patterns may simply be what happens as a collaborative writing process progresses. While only additional studies can say for certain, this chapter *can* provide useful input for writing process research, in particular, in the work writers engage in to imagine their own and their audience's authority.

The findings suggest that *invention-as-delivery* serves a very useful role early in collaborative invention, at least in this case. When the group members are most unsure about their relationship vis-à-vis authoritative discourse and the role and purpose of their document, they project tentative versions of their authority that are sometimes over-

reaching, playful, blunt, even reductive—but highly generative. *Invention-as-delivery* also seems to have limitations. Later in the group’s process, it became less useful as the group grew more technically astute and engaged a more complex rhetorical stance. As invention progressed—invention-as-delivery receded in importance. However, when invention evolved to become more about ideas (quarter 2), patterns of audience engagement were actually quite similar, suggesting a gradual, subtle transition between these two forms of invention, as if one mode gradually supports and enables the other. In both forms of invention, audience must be highly present in the group’s conversations. Conflict seems to exist in the group not actively “correcting” each other at this stage, but in a toleration of different projected versions of themselves and their audience—the performance of different imagined roles embodies whatever conflict is present. In this mode of invention, there is generative play, but also discordant representations of authority presented side-by-side.

However, as the group transitioned to the next stage of writing—producing and revising written text collaboratively—a different mode of invoking audience and manifesting conflict emerged. In order for collaborative writing out loud to happen, the group members’ perceptions of audience and their own authority as writers had to stabilize temporarily. In this moment, the group is unified into one collective perception—and episodes are highly repetitive and collaborative with group members even speaking in unison and repeating each other’s words. This kind of consensus, at least in this rhetorical situation and for this group, was temporary—almost like another “role” the group stepped into momentarily. In fact, when the group achieved the ability to strike this kind of consensus, direct conflict in the form of *correction* emerged as a more dominant behavior.

These findings thus suggest complex ways conflict can manifest in writers' role-play work: (1) by assuming discrete roles that personify conflict, but allow it to exist, (2) in tentative roles that demand nuance and result in more direct refinements and corrections of each others' ideas, and (3) in an oscillation between suspending all conflict in a uniform role and re-invoking audience strategically to disrupt that temporary consensus. These findings challenge scholars interested in feminist forms of collaboration to deconstruct and examine characteristics we have ascribed to different modes of collaboration. In this case, I attempt to deconstruct assumptions about the relationship between role-play and conflict and question the idea that this relationship necessarily manifests in one fashion in "dialogic" versus "hierarchical" collaboration. When we consider how these modes apply to collaborative settings outside women's writing groups and academic contexts, we will likely uncover a spectrum of collaboration strategies that serve writers' goals.



## Conclusion

In May of 2008, the DPB working group met with several high-level administrators and, with the help of the Political Director of Equality Texas, presented their report and legal argument. In response, the President explained he wanted to research “what the law says” before offering an official answer to the group’s direct request that he take “leadership” on the issue. The official answer came a few weeks later: the institution’s lawyers produced a legal counter-argument that responded to each of the main arguments in the proposal. In response to the “legal authority” piece, the institution cited a precedent against expanding insurance plans at another public institution (*Bailey v. City of Austin*, 1998), which proved their hands were indeed “tied” barring new legislative action. In response to the “legal mandate” piece, the institution responded that its mandate to be competitive is to ensure no harm comes to the university in terms of recruiting top talent. It would be difficult to prove that the university was substantially harmed in not being able to recruit attractive employees because of not offering benefits (they might lose a few, but they still were attracting plenty, in other words). Also, the low rates of participation and cost the group estimated in their report (“the smallest number I’ve ever seen in my life” figure discussed in chapter 5) had unintended consequences in this respect. This figure was cited as proof that the population was too small to have a substantial impact on recruitment.

Feeling highly skeptical of the administration, the group got the sense that officials merely tasked “some legal clerk” to locate precedents and counter-arguments as justifications for why *they could not* act, rather than responding to the group’s request that administrators research how they could do it, not if. In fact, although this dissertation is not a genre-based study, the narrative suggests that legal interpretation in informal

correspondence—internal memos, letters, white papers—is a vital location to trace how un-official policy-making happens through speculative interpretation of the law and legal risk. Many of the informal legal documents in this story have a question and answer structure, with questions asking, “Could the law be interpreted this way?” or “Can this be done?” and then answers that list legal precedents and structures in place and what interpretations seem most tenable. Sometimes the answers are speculative, like “possibly” or “probably not”; sometimes they are a definitive “yes” or “no.” Such informal correspondences offer a “tentative,” hypothetical form of legal interpretation—what the law *might* say, what the implications *might* be. However tentative they may be, these hypothetical interpretations deeply influence institutional change, since they are used by administrators and other authorities to calibrate legal risk. In this story, the administration uses this speculative, hypothetical interpretation of what the law “might say” to initially refuse to reciprocate the group’s proposed stance of “partnership.” The institution’s written response then concludes by suggesting courses of action the DPB group should take, the main recommendation being to lobby the state legislature to expand its list of definitions in the Texas State Insurance Code to include something like “other qualified adult.”

Over the next few years, the group members continued to work to broaden its network and extend its activism into different arenas. As they reached out to each new group, they sent their report as the initial point of contact (one DPB writer described the report as their “calling card”). The group held public rallies, organized two state-wide conference with other activists employed by other state institutions, partnered with other LGBT and ally activist communities, and even participated in extended legislative action. One of the contacts the group reached out to was a state representative known to be supportive of LGBT issues. Roughly six months after the group presented their report to

the administration, the representative, with the guidance of the Director of Equality Texas, sponsored a bill to modify the state insurance code to append “domestic partner” to the same line as “spouse” in a list of qualified beneficiaries. The new language also included a very precise definition of “domestic partner,” as a couple who was not married or in a civil union (Texas HB 353, 81R). When it came time to testify before the legislature for the bill, several DPB group members presented their testimonies. The Director of Human Resources and the Vice President of the Division of Diversity and Equity also testified, mainly discussing the negative impact the current policy had on diversity and recruitment and retention.

At the hearing, the Director of Equality Texas discovered that the fiscal estimations the Insurance committee produced were grossly incorrect—with the estimated cost of offering DPB being based on far wider rates of participation than the group’s report had estimated (using data produced by Human Resources). The bill never garnered solid support among Insurance committee members. Although the Director of Equality Texas submitted a request for the fiscal assumptions to be corrected, the bill did not make it out of committee. Around the same time as the legislative hearing, the term Competitive Insurance Benefits (CIB) came to replace the term Domestic Partner Benefits. A few years later, a second bill for CIB was proposed in 2013 (Texas HB 1140, 83R), and committee members were again involved in lobbying the state legislature. This time, rather than appending the term “domestic partner,” the bill proposed to append the term “other qualified individual” and included a description of who is qualified—essentially, an adult who is “financially interdependent” with the primary beneficiary, but not recognized as a “spouse” of a civil or common law marriage. This policy model is a hybrid between the “adult plus one” and “same and opposite-sex” policy models. One of the DPB working group members described it as the “most innocuous” definition

possible, as a legal class that is general enough to mean “qualified individual,” narrow enough to be an adult romantic relationship, but distanced enough from official marital status recognition. Near the end of the legislative session, the office of the state Attorney General issued a formal opinion on the question of the legality of offering benefits to same sex partners in the state. The Attorney General argued that offering these benefits created a status similar to marriage that is “not recognized by state law.” This opinion purported to impact the practices of several public institutions that offered insurance benefits to the same sex partners of employees, including city council employees, public defenders in one county in the state, and a handful of public school districts, all of which were ordered to stop the practice. However, because an opinion from the state Attorney General does not have the power of law, at the time of the writing of this dissertation, all the state agencies publicly maintained they would not change their insurance plans. The Attorney General’s statement certainly did not help the CIB bill, however. As one of the activists noted, the timing of the release of the Attorney General’s opinion could not have been worse for the CIB bill, which again did not make it out of the insurance committee by the end of the legislative session.

While their work in the legislature was not producing immediate results, the DPB working group experienced gradual progress in the institution after delivering the report. Over the few years after presenting their report, the group slowly came to enjoy a better stance of “partnership” with some leaders in the institution. Other policy changes were implemented during the group’s continued activism. For instance, housing policies were modified to permit staff with same sex partners who lived on campus to live with their partners. Several months after the DPB group received the institution’s answer to their proposal, a standing committee was formed, the “Ad hoc Committee on Gay, Lesbian, Bisexual and Transgender (GLBT) Support Initiatives,” which included members of the

DPB working group, high ranking officials in the institution, and a representative for the President of the institution. The standing committee continues to work to this day on DPB and other issues. Their 2012 report listed eight “standing issues,” one of which is to conduct research on the possible legal ramifications of giving financial compensation to employees who purchased private insurance plans for their same sex partners. Another initiative at the time of the writing of this dissertation was to establish “soft benefits” for same sex partners of employees (not health or life insurance, but lesser benefits, such as being able to use the campus gym). The ad-hoc committee also works on other issues that impact the LGBT community, such as establishing a Queer Studies degree, adding hormone replacement therapy for transgendered students to student insurance plans, and more. Not feeling they were doing work beyond what was being addressed by the ad-hoc committee, the DPB working group stopped actively meeting in Spring 2011.

#### **THE PROBLEM OF EVALUATING RHETORICAL EFFECTIVENESS IN POLICY DISCOURSE**

While the group was not immediately successful in achieving their proposal for institutional “leadership” and “partnership” around the issue of DPB, it is clear that their work—and their report—sparked substantial awareness around the cause of DPB, as well as around LGBT issues in general. Clearly, in cases of complex public policy issues like this one, it is not always easy to pin down what makes an isolated document, a single argument, or a process rhetorically effective. The slow change and development of policy over time and the influence of multiple events and agents make it difficult to understand the impact of just one group, one rhetorical exchange, or one document. Carolyn Rude (2004) makes precisely this point when she asserts that studies of policy discourse require more investigation of the fifth canon, *delivery*. Rude contends that, while other areas of rhetorical scholarship have paid only passing attention to delivery, researchers studying

policy discourse need to more actively theorize delivery. Rhetorical effectiveness and impact should not be measured just in terms of how messages are received by a primary audience in a singular exchange, but also how messages come to be disseminated and spread over time (p. 272).

This statement certainly seems to apply to the case of the DPB report. If we were to evaluate the group's rhetorical success in terms of a singular interaction coordinated by *genre*, that is, in a structured rhetorical exchange in which the DPB writers proposed action or change and the institution responded to that proposal, we would assess that the group's specific call for action (greater ownership of the issue) did not immediately result in the desired audience response. When evaluated using this limited criterion, the report was rhetorically unsuccessful and the group's participation seems "instrumental." While the formation of the subsequent standing committee suggests members of the institution slowly assuming a greater degree of responsibility around the institution's policies regarding LGBT people, this is a far cry from the legal "leadership" and initiative the DPB writers proposed. On the other hand, in the second state conference the DPB writers organized (two years after their initial presentation of the report), which was attended by employees across the state, the President of the institution gave the opening speech and stated his support for DPB (by then called CIB). This event was the first time he would publicly do so.

The report thus served a broader purpose than a singular presentation for administrators—just as the group planned. However, evaluating the success of the report across these channels by building a deeper rhetorical theory of delivery is beyond the scope of this dissertation. Instead, this chapter reflects on trends and tools that emerged in the DPB group's *process*. Specifically, this dissertation opened with questions about writing process within the context of policy discourse where groups cannot always

assume their words will receive a legitimate hearing. A basic question that drives this project is thus: what can we learn by tracing process in settings that tend to be more complex, multi-agential, and conflicted than contexts we typically generate our theories of writing process from? As a way to start answering this question, this dissertation proposed to investigate the extra inventional work writers must perform when they are not clearly authorized, focusing specifically on role-play work. Finally, this dissertation proposed to explore inventional role-play work's relationship to the concept of *recognition*—where invention is a process in which writers propose roles and assess how roles might be recognized or misrecognized by audiences, decide which roles felt more or less “authentic,” and identify unintended consequences. The following sections reflect on findings suggested by the narrative and identify potential locations for future research. In fact, the short list of questions at the end of each section are intended as potentially fruitful “places to look” as locations of dense and relevant activity in settings where writers' authority is explicitly contested. Such questions can also serve as starting points for future studies of the functional role of talk in collaborative writing across different types of contexts.

#### **THE ADVANTAGES AND DISADVANTAGES OF *INVENTION* AS *DELIVERY* IN POLICY DISCOURSE**

While we need better methods to trace and theorize *delivery* to properly evaluate policy discourse, studies of policy discourse are poised to offer a significant contribution to rhetorical theory in other ways, in particular, the role delivery can play in *invention*, especially for groups who work outside or against the grain of authoritative discourse. Other scholars have begun to observe the unique importance of *delivery* for speakers who are not traditionally authorized. For instance, in her study of antebellum women rhetors, Buchanan (2005) argues that delivery was uniquely significant for groups trying to

persuade in “resistant surroundings” (p. 133). Mattingly (2002) similarly analyzes dress as a significant delivery technique—which was uniquely important for women whose public speech was a marked behavior. Both Buchanan and Mattingly point out that the ingenuity required around *delivery* for women during this period are beyond the scope of traditional rhetorical theory. Such ingenuity is not typically considered “rhetoric.” In her analysis of female preachers, Mountford (2003) works to build a new rhetorical theory around oral delivery and the female body. She asserts that, while this canon of rhetoric has become all but obsolete due to rhetoric’s current focus on *writing*, delivery can take into account factors uniquely applicable to women—the presence of the body while speaking and whether the physical spaces women speak from within are designed to “anticipate” a female presence (p. 3).

One clear finding this dissertation posits is that, particularly when groups work to change policy discourse from the outside in, planned, imagined delivery plays a vital role in rhetorical invention. In fact, one way we can evaluate a group’s writing process in policy discourse is to ask: how rhetorically generative, sophisticated, and accurate are the group’s imagined scenarios of delivery? In this story, when the group members worked hardest to imagine themselves as authoritative, they invoked versions of themselves, their audiences, and what Plowman (1996) refers to as their “mediating document”—all in one performative gesture. While some writers initially worried the group was being sent off to do “the busy work” of writing a report—a “stack of 36 sheets” “nobody would read”—the group was able to produce a document that eventually served as the cornerstone of a broader movement. It could be argued that the initial skepticism and ambivalence (but also events that were beyond their control, such as the hunger strike) worked to deepen their *delivery literacy*—that is, their ability to invent and refine arguments by identifying more accurate imagined scenarios of delivery.



As an inventional tool, *invention as delivery* had both advantages and disadvantages. This tool served as a clear form of role-play work: the writers imagined the external limitations embedded in audiences' perceptions and then derived rhetorical roles from those limitations. Each performance would posit a possible "mediating document," or proto-genre, which presented a potential version of the report. These "mediating documents" were then tested for how well they might structure future conversations by generating predictable responses from audiences. The more predictably a mediating document could structure future conversations, the stronger the approach seemed to be. The performative and tentative nature of this mode of early invention regulated group conflict in a somewhat indirect way: to disagree with or add to one mediating document and the role and construction of audience and authority it proposed, a group member tended to perform another scenario of delivery. Different projected roles and mediating documents could thus co-exist side-by-side as the group compared various possibilities. *Invention as delivery* may prove a useful tool for early brainstorming when writers need to introduce multiple voices simultaneously to explore a multi-faceted rhetorical situation. In this case study, as the group members' assumptions about their audience, purpose, and likely authority became more compatible, the more mediating documents could congeal through successive performances of delivery. The product of this collaborative role-play work was something like a shared composite genre (the report as "contract").

However, the narrative also suggests potential downsides to *invention as delivery*. Each performed gesture indexes a specific, limited perspective—in fact, this is part of this tool's performative power: each personified, emphatic expression incites responses from collaborators. But because each stance is inherently partial, each discrete stance is likely to be somewhat reductive in complex rhetorical situations typical of policy

discourse. For example, all the mediating documents the group generates—the report as “mere delivery,” the report as legal case, the report as trove of business sound bytes—emerge as relevant in the story. A potential problem with *invention as delivery* may occur when the dynamics of performance keep versions of a mediating document discrete when, in reality, more expert invention requires complexity and nuance in the overlap of these versions. Another way to put this is that, in complex settings, the imagined proto-genre needs to be flexible enough to accommodate multiple scenarios of delivery at once. Furthermore, if writers attempt to collaborate on drafts while they hold conflicting mediating documents in mind, a sort of genre trouble (or what Spinuzzi (2003) would call *discoordination*) can occur, where writers work at cross-purposes.

In this way, *invention as delivery* in the stages of early writing can foster *delivery literacy* within a particular context (a concept considered in more detail in the next section), as well as potentially curtail its development. This observation may apply more to policy discourse than other contexts. In policy settings, writers must take into account multiple stakeholders and audiences, as well as the complex overlap of political, legal, and public discourses. Invention performed as discrete, emphatic scenarios of delivery may not capture this complexity.

As is discussed in the conclusion of chapter 3, the DPB group was able to overcome the potential limitations of their chosen mode of early invention, but it is not obvious that all groups would be so successful. Additional studies would be useful in this area. The DPB writers were high-functioning collaborators, senior professionals in their respective fields, eventual friends, and co-activists united around an identity-based cause with a strong personal investment in their ultimate goal. The question thus arises whether collaborators who don’t share the same level of commitment to their work would be able

to similarly overcome the potential limitations of *invention as delivery*. Some questions for future research in this area are thus:

- How would invention as delivery work in contexts where authority is *not* as unclear or contested? Would it be as prominent as in this case study?
- Would this strategy work well in a group dynamic where writers do not assume they can freely disagree and challenge each other (for instance, in a more hierarchically structured group)?
- When conflicting mediating documents emerge, how well are groups able to stabilize these mediating documents through role-play work?

#### **MORE ON *DELIVERY LITERACY* IN POLICY DISCOURSE**

When we look closely at writing process in policy discourse (or, at least when we apply the lens of role-play work), the concept of *delivery literacy* is ubiquitous. So much so that *delivery literacy* may be an excellent lens to differentiate the rhetorical practices of authorized versus un-authorized writers—as well as to trace the activities of those who work to traverse this gap. How well do writers construct accurate, generative, and sufficiently complex imagined scenarios of delivery for a given rhetorical context, and then generate arguments from those scenarios? As events in the narrative reveal, while the group initially imagines discrete, limited scenarios of delivery, the most literate scenario required integrating and overlapping roles.

*Delivery literacy* also applies to delivery itself (of course). In chapter 5 (the period of highest productivity following the hunger strike), group members express concern about their ability to render the Political Director of Equality Texas' technical legal argument in informal discourse for conversations with administrators. The group members decide they lack the facility to deliver a novel legal argument, which leads them

to always rely on an expert to deliver the argument for them. Importantly, the expert's literacy encompasses far more than just knowing how to paraphrase. The Political Director understands that, somewhat ironically, "novel" legal arguments seem more authoritative in informal discourse when they are framed tentatively (but this observation does not apply to written, formal discourse). In less formal channels, the tentative framing gives the argument a greater degree of ethos—as the speaker is privy to the complexity of moving a legal argument from the realm of "novel" to "authoritative." Experienced policy changers know that any novel interpretation should be presented as "something you haven't thought about," rather than the "answer" or "magic bullet." In addition, the argument presented in informal discourse must maintain the nuance and complexity of the formal interpretation. This skill seems to be the hard part—translating formal complexity into informal nuance—and what the DPB writers (except for the lawyer) seem uncomfortable doing.

For multiple experts in this study, this literacy was reflected in their behavior—that is, knowing precisely how to optimize messages from one delivery channel to another, particularly from formal to informal channels. For instance, another institutional expert, the VP of Human Resources, is familiar with the kind of arguments the group should propose to best enact change in a complex institution. He models the role of "insistent partnership," which requires as complex a delivery as the legal framing. "Insistent" calls for action take the form of offers of support and acknowledging and strategizing around the complexity of the policy-maker's role. These findings thus suggest the following question for writing research:

- In other contexts, what traits characterize more expert *delivery literacy*?

- In different contexts, what literacies are required to transform a formal written message into an informal (and often verbal) framing that renders a message more authoritative?
- How do experts in policy discourse invent arguments from within the complex (and often hybridized) roles they assume?

### **RECONFIGURING AUTHORITY-AS-ARTICULATED**

This dissertation also presents a case study of a phenomenon already theorized well in other areas of scholarship: in schemes or reported speech, authoritative discourse works by cloaking and denying the appearance of subjective interpretation. The construction of institutional agency is an overtly textual process. Different individuals take advantage of this textual opportunity to try to deconstruct and reconstruct agency. The narrative reveals how actors in this story attempted to contradict an authoritative scheme: they tended to first gloss the authoritative utterance in a way that mimics or even mocks the original scheme and then derive their own potentially authoritative retort from that gloss. By considering how actors working “inside” and “outside” an institution leverage the tool of *active reception*, we can compare their schemes (meaning ways of combining linear and pictorial discourse) with their rhetorical goals and degrees of institutional and technical literacy.

The narrative suggests that, as an inventive tool, *active reception* offers actors the opportunity to identify, tinker with, and reconfigure the functional components of authority-as-articulated. In fact, the polar definitions of reported speech articulated by Bakhtin—linear versus pictorial—seem less-than-adequate for classifying the complex schemes actors in this story devise. It might be useful to create new taxonomies to document the spectrum of strategies writers devise as they “talk back” to authority,

noting the implications of each strategy for those working “inside” and “outside” the system and the technical literacy required to devise each scheme. Another finding suggested by the narrative is that, when the interpretive moves embedded in a linear scheme are cloaked, actors working on the “outside” may tend to derive schemes that are mere reactions or reflections of the components of the authoritative scheme, rather than a dismantling and reconfiguring of its inner workings. In this sense, the best retort an unauthorized or non-expert actor can offer is already embedded within the original scheme and thus may be limited. For instance, one negative consequence of the hunger striker’s “talking back scheme” of demanding personal agency in *people* (in response to the original schemes’ *institutional* denial of agency), was that the hunger striker was depicted as recalcitrant and naïve. Some administrators even suspected his “real” motivation was to get attention to bolster his applications for employment at other institutions, especially since he accepted a position at another institution shortly after the strike.

As we continue to explore the complex linguistic schemes actors devise to configure roles in relation to texts, we can ask the following questions:

- How do linear and pictorial modes get combined to construct authority in institutional genres?
- What happens as authoritative schemes move across delivery channels and become paraphrased?
- How do counter-schemes reconfigure linear and pictorial modes to attempt to challenge or participate in institutional authority?
- What precise literacies are necessary to dismantle the textual logic of an authoritative scheme in cases of contested or unclear authority (in the words of the Political Director or Equality Texas, to know “where the bodies are buried”)?

## REGISTER WORK AND AUTHORITY

The group employed playful register work throughout their writing process, often brainstorming ideas by addressing the institution in exaggerated phrases—things they would never actually say. However, later in their process, when the group performed more actual collaborative writing out-loud in meetings, register work became more concentrated and specialized. The group devised the linguistic tool of straddling serious and non-serious registers: the serious register of actual writing and “composing aloud” was complemented with a more playful, non-serious register, in which potential ideas could be articulated and tested. In this way, later register work was more purposefully heuristic: the group used it to calibrate their authority to make certain arguments by recontextualizing non-serious talk into serious writing. The reverse was also true: they would revise existing “serious” writing by rephrasing it as a non-serious gist so that its usefulness could be weighed.

This form of role-play work emerged after two things changed in terms of the group’s relationship to authoritative discourse. First, the group members’ shared perception of the role and purpose of their document stabilized, as well as their perception of their own likely authority in imagined future conversations. Second, experts and institutional insiders had advised the group about the rhetorical role they should assume—a role that was quite complex. The group invoked register work as they tried to understand how to enact this complex role and whether potential arguments were compatible with the new rhetorical role. The function of role-play work is different from in the early stages: the group wrestles with how to maintain expert nuance, at the same time as they debate how to write things down.

In fact, as the discussion of *delivery literacy* above also argues, one characteristic that distinguishes “expert” and “authorized” writers is the facility to recontextualize

statements between formal and informal registers, while maintaining the necessary nuance. When the DPB writers attempted to recontextualize the legal argument as an excerpt in their report, they encountered difficulty maintaining the nuanced construction of institutional agency. The non-serious register, with its blunt exaggerations, did not allow them to capture the compromise between mandate and authority. In this way, register work is useful even when it fails; it allows the group to identify when they do not have the literacy to make certain arguments.

While the discussion of *delivery literacy* above already calls for more research into the literacy necessary to recontextualize arguments from one context to another, the narrative also suggests additional potential areas for research into register work:

- Which kinds of arguments inspire the most register work for groups to translate them from one context to another? What does this suggest about both the argument and the group?
- Can groups working outside institutions use register work to invent authoritative arguments while still capturing nuance and complexity? Another way to phrase this question is: When is best for groups to approach complexity through *writing* rather than speaking?
- One way to delineate the limits of a group's authority may be to observe which non-serious arguments can be successfully written down in the serious register. Thus, we can ask: where is the line between a group's capability to "imagine" themselves as authoritative and the reality of how they can engage authoritative discourse in earnest?
- Similarly, studies can track misalignment between the serious and non-serious registers: when is the sense of authority that is reinforced in the non-serious mode "just play" or "footnoted" outside the "real" conversation?



## **ROLE-PLAY WORK AND THE AVAILABLE MEANS OF RECOGNITION**

The introduction to this dissertation postulated that we can use the concept of *recognition* as a factor of rhetorical invention—that is, we can analyze how writers both construct arguments from within the roles they imagine and try to anticipate how those roles might be recognized or misrecognized by audiences. While political theory treats recognition as a phenomenon that *occurs*, a rhetorical treatment of the concept hones in on a phenomenon writers *imagine*. Similarly, while political theory understands recognition as something that is “real” and clearly constitutive of the self, a rhetorical treatment adds the dimension of *strategy*—that groups might choose roles that promise to work, or create compromises between different roles (some “authentic,” some more tactical). Rather than applying the blunt binary of “recognition” versus “misrecognition” to this rhetorical imagination, we can trace the multifaceted roles writers construct as they write. At the same time, we can also attend to how environing legal and political structures shape and constrain the available roles. This section suggests tentative findings and questions for the concept of recognition in the writing process.

### **Imagined Consequences and Goals of Recognition**

In this story, as the group considered possible roles for themselves and likely roles for their audiences, they imagined different consequences and goals of recognition. The recognition framework that emerged—at least viewed through the lens of writing process—was more than a choice between sameness versus difference or universal versus particular (although these concepts indeed emerged in the group’s deliberations). Recognition emerged in multiple variants as the group envisioned its own role in relationship to an imagined audience role.

- *Aligned recognition* with audiences, in which the group could project roles that would be somehow congruent with audiences' roles ("We're just like you and our problems aren't all that dissimilar to yours").
- *Misrecognition of speakers*, in which the group's role would backfire and inadvertently expose a problematic difference ("They mean diversity, they don't mean the queers").
- *Misrecognition of audiences*, in which the roles they project on audiences would backfire where audiences would resist the way they are being recognized ("The implication that "Ew, you're going to be starting a queer revolution." "You don't wanna be doing that!" "I don't think *they* wanna be doing that!")
- *Revised recognition*, in which the group imagined themselves persuading an audience to readjust (even slightly) how they perceive the group's role and/or the audience's role.
- *Strong recognition*, in which group members assumed highly *invested roles* they identify with.
- *Tentative recognition*, in which group members assumed less invested roles, which were acceptable, but not strongly held, or were just "thrown out there" for the sake of argument.

While instances of vested and less invested roles were coded (the equivalents of *strong* versus *tentative recognition*), all variants of recognition listed above were not coded systematically. A potential future area for research could thus be to track these (and other) forms of imagined recognition in groups' collaborative invention. In so doing, we might learn more about imagined recognition as a rhetorical tool and the relationship to writers' perceived authority.

In addition, modes of recognition that emerge as writers invent arguments can be used to characterize the contexts writers work within. As chapter 3 suggests, *Aligned recognition* was less prominent in this case study because the writers did not easily picture themselves having the same needs and motivations as their audience. In cases like this one, *Aligned recognition* may emerge most commonly with highly *Tentative recognition*, which means that alliances with audiences are explored in roles writers do not deeply identify with. Such an analysis could be useful in studies that seek to explain why compromise fails between different stakeholders, for instance. In this way, studies could track not just the prominence of certain forms of recognition, but also the pairings between multiple forms. Studies could also question why certain modes of imagined recognition seem most suited for particular rhetorical contexts. For instance, the “experts” in this story seemed to define rhetorical effectiveness in policy discourse as accomplishing a certain form of recognition: *Revised recognition of the group’s and/or audience’s role*. The Vice President of Human Resources and the Political Director of Equality Texas advise the DPB writers that the most authoritative role they can assume is to convince the administration they bring new information to the table—that administrators should *re-consider* the legal argument. And, the most important kind of revised recognition the group can achieve is persuading the institution to reconsider its role—that is, that it can indeed create policies, rather than just enforce them. In terms of measures of the effectiveness of policy discourse, imagining and strategizing the *right* kind of recognition for a given context can thus be examined as a form of political literacy—and groups’ rhetorical effectiveness can be gauged by how well they construct roles and arguments that align with the most appropriate mode of recognition.

In the case of the DPB writers, it can be said that the group is rhetorically successful in achieving one half of the goal of *Revised recognition*. Even if the group

members do not obtain their goal of garnering administrative “leadership” around the issue, they do successfully convince authorities to reconsider the group’s role as being capable of bringing new legal information to the institution’s attention. However, they are not as successful in achieving the other half of the goal of revised recognition in this case: they do not craft arguments that successfully persuade the institution to reconsider its own role. The institution easily discounts its proposed role by finding a precedent that discounts the “authority” dimension of the legal argument, challenging the logic of the “mandate” argument, and reinforcing their original role that any new policy writing must be performed by the state legislature. The work of convincing an institution to re-position itself in a different role, when it is not motivated to do so, is clearly a difficult rhetorical task.

Identifying and tracking modes of recognition that writers project provides a method to trace the landscape of authority at play in writers’ imaginations as they write in specific contexts. We can track how well imagined scenarios of recognition map to a setting and how well writers craft arguments that align with a mode of recognition. Thus, future studies could explore questions such as:

- What different modes of recognition emerge in different writing contexts, and which ones seem the most successful within that context?
- What factors in the rhetorical situation make a certain mode of recognition more authoritative and successful than another? For instance, *Revised recognition* is likely the most appropriate mode for the group because they must work against an institutional assumption that DPB is “an open and shut case,” and “the law is in the way.”
- What telling relationships emerge between different the categories of recognition listed above (and what other categories are relevant)?

- Does the most likely “successful” mode of recognition, the one that promises the most legitimate hearing within a context, serve a group’s needs?

### **Investment versus Authenticity**

As is discussed in the introduction, one of the central theoretical critiques of recognition theory is its goal of *authenticity* (for example, Butler 1997 and Heyes 2003, although this line of argument is picked up widely across critical theory). Heyes (2003) seeks to locate a theory of recognition that somehow avoids the desire for authenticity and can accommodate a “deconstructive, poststructural, historically embedded” self (p. 54). While this type of theoretical question will be answered (or simply abandoned) as new theories emerge over time, this dissertation does suggest an alternative concept we can apply when we analyze recognition through the lens of rhetoric: levels of *investment* in projected roles. Certainly, as the group members staged conversations and imagined themselves speaking with various kinds of authorities—key decision-makers in the institution, the institution as a personified, abstract entity, members of the legislature, the generalized “public”—they were staging the very kinds of dialogues political theorists argue are constitutive of identity. However, the very “detachment” characteristic of hypothetical speech also allowed the group members to perform arguments that they themselves found less than persuasive, but knew would be persuasive to others. Thus, the writers’ imagined scenarios of recognition did not need to offer up perfectly “authentic” models of their identities for the writers to feel more authorized. A comical case in point is when the group considered approaching companies in the private sector to sponsor DPB in the public institution. In the recent past, the institution had rejected funding from a tobacco company, and one group member joked they should tell the company, “I’ll start smoking again if (the tobacco company) will fund DPB here!”

Of course, focusing on levels of investment, rather than on authenticity, does not suggest we should praise cases where groups have to fundamentally compromise themselves to seem authoritative to audiences. Rather, the point is that writers hold a variety of attitudes toward the roles they assume—some earnest, some strategic, some even perfunctory. For instance, while the group enjoyed each other immensely, and meetings were lively and animated, peppered with jokes such as this one, the task of writing the report itself often felt less-than-creative. Central to some group members' disenchantment was the fact that they were so limited in how they could engage certain political appeals—that they could not make clear social justice arguments grounded in difference, even as they all experienced identity-based discrimination first-hand, for example. They were forced to maintain tentative connections with roles they sometimes would like to assume fully. Administrators actively encouraged the writers to have strong associations with identity politics on one hand (as members of the LGBT advisory group), but to distance themselves from arguments grounded in identity politics on the other (as in calling the benefits “CIB”). In their role-play work, the group had to straddle multiple roles and explore tentative associations with different positions, some of which felt more and less “authentic.”

And yet, the group also periodically began meetings by articulating precisely why DPB was so important to them—reasons that had as much to do with their heart-felt commitments to social justice as the immediate concern about the health and well-being of their families. These earnest voices also made their way into their role-play work. What's important and telling about the complex, tentative, hybrid experiences of these roles in the group's invention is not whether or how they reveal the group's “true” identity, but how group members weigh their levels of investment with those roles as they strategically form arguments. Role-play work is a balancing act: where writers

combine their desire for authenticity in one role, with strategic non-investment in another role, with tentative alignment in another, and so on. When recognition is viewed through the lens of inventional role-play work, we can identify a rich spectrum of roles negotiated between the recognizer and the recognized—and writers don't have to pick just one.

However, the narrative also suggests limitations in how the DPB writers invoked modes of recognition in their writing process. When the writers feel least authorized (in their early stages of role-play work), they must perform the most work to locate roles that feel authoritative to them. Chapter 3 attests to the tenacity of these roles once forged. One question for future research is whether this level of investment is somehow more tenacious in cases where authority is harder to come by. An inventional role may be more precious when it is hard to construct, versus when one easily and confidently assumes it. In terms of managing conflict, more deeply invested roles allow the group members to *embody* conflict in their performances of their stances, and these contradictory roles can initially co-exist, side-by-side, at least during the early planning stages. There can be complexity in the midst of investment; a plurality of voices can exist even when group members hold deeply invested roles. It might be useful to further explore what writers can and cannot accomplish when role-play dynamics are both deeply vested and contradictory.

The narrative also suggests that, later in the group's work, roles become more heuristic, tentative, and flexible. This change happens after the group has located a stable mediating document in which everyone can picture themselves being heard. As chapter 6 also reveals, this development allows the group to be (somewhat ironically) more directly critical of each others' work. In light of invention as a process of recognition, these trends suggest that performed roles may feel more invested when they are contested; whereas, performed roles can be more heuristic and less invested when they are not contested. In

this sense, it is only after one assumes that one's voice will be heard, that more tentative, permissive, "less invested" play (the disassociation from stable roles discussed in queer theory) is fostered. This area thus suggests potential questions for future research:

- As writers assume roles, what is the nature of affiliation they have toward those roles? For instance, where do writers seem more deeply or less deeply invested, and why? How do levels of investment relate to a writers' perceived sense of authority?
- Where are writers forced to assume tentative associations with roles due to constraints in their rhetorical situation when they would prefer to be vested? What inventional work is required for writers to produce arguments from within complex, tentative, hybridized roles?
- Do writers produce "compensating" roles when one necessary role feels inauthentic or otherwise unsatisfactory?
- What work can writers accomplish (and not accomplish) when different dynamics of role-play are present?

### **Informed Ambivalence in Cases of Contested Authority**

The final area of findings this conclusion presents is the surprising rhetorical usefulness of *ambivalence* for rhetorical invention in a case of contested authority. As is noted above, when the writers are least convinced of their authority, they assume discrete, deeply invested roles. As chapter 3 describes in some detail, these roles are persuasive to writers because they contain a degree of *informed ambivalence*: a convincing role acknowledges the limitations of what is likely to be externally authoritative and derives a role from within those limitations. The group is able to forge a consensus that preserves each writer's ambivalence, and this process actually serves them well later. Their ability



to preserve an array of contradictory voices allows them to fold these voices into their writing later to add nuance to arguments they write in chapter 5. This observation suggests that, for successful collaboration in cases of contested authority, ambivalence is something a group may need to sustain and preserve, rather than overcome.

For instance, while the “business” argument (recruitment, retention, diversity) is a recurring and earnest argument in the group’s report, and especially when the group lobbies the state legislature, it is transformed into ironic versions in later rallies (especially in a rally organized by a queer youth group who called the institution to task for the emptiness of its diversity rhetoric). The “skeptical” voice emerges quite strongly when the group works to articulate the report recommendations. A central call for action is that the institution take ownership—a sentiment that is a tempered version of “it’s your job to do this ....” And, while the legal argument is clearly central, the group is advised to offer it up for consideration, to not make it the main argument. In this way, roles that once seemed incompatible and discrete to the group actually come to inhabit each other, inflecting each others’ messages. Each role tempers another to make arguments more nuanced.

*Ambivalence* is not a common theme scholars of rhetoric consider when we investigate inventional processes that empower writers in difficult and complex writing situations. It is also somewhat counter-intuitive that ambivalence can result in such a generative resource for collaborators—an asset to preserve. This may be because our field has not tended to generate theories of micro-writing process from contexts such as policy discourse—where authority is explicitly contested in complex ways, and where writers working outside of authority must engage in additional work to envision themselves as authors. This dissertation has attempted to illustrate what we may learn when we do.

## References

- Alexander, J. & Gibson, M. (2004). Queer composition(s): Queer theory in the writing classroom. *Journal of Advanced Composition*, 24(1), 1-22.
- Alexander, J. (2008). *Literacy, sexuality, pedagogy: Theory and practice for composition studies*. Logan: Utah State University Press.
- Alm, M. (1998). The role of talk in the writing process of intimate conversation. In E. Peck & J. Mink (Eds.) *Common ground: Feminist collaboration in the academy*. 123-140. Albany: State of New York University Press.
- Alvarez-Caccamo, C. (1996). Building alliances in political discourse: Language, institutional authority, and resistance. *Folia Linguistica*, 30, 245-270.
- Ashton-Jones E. and Thomas D. K. (1990). Composition, collaboration, and women's ways of knowing: A conversation with Mary Belensky. *Journal of advanced composition*, 10(2), 275-292.
- Bakhtin, M. M., & Holquist, M. (1981). *The dialogic imagination: Four essays*. Austin: University of Texas Press.
- Bartlett, K. T. (2003). *Gender and law*. Aspen Publishers Online.
- Bailey v. City of Austin, 972 S.W.2d 180
- Barton, E. L. (1996). Negotiating expertise in discourses of disability. *Text-Interdisciplinary Journal for the Study of Discourse*. 16 (3), 299-322,
- Barton, E. L. (2000). The interactional practices of referrals and accounts in medical discourse: expertise and compliance. *Discourse Studies*, 2(3), 259-281.
- Barton, E. (2001). Sanctioned and non-sanctioned narratives in institutional discourse. *Narrative Inquiry*, 10(2), 341-375.
- Barton, E. (2002). Inductive discourse analysis: Discovering rich features. In E. Barton & G. Stygal (Eds.), *Discourse studies in composition*, 19-42. Michigan: Hampton Press.
- Barton, E. (2004a). The construction of legal consciousness in discourse: rule and relational orientations toward the law in a disability support group. *Journal of pragmatics*, 36(4), 603-632.
- Barton, E. (2004b). Discourse methods and critical practice in professional communication; The front-stage and back-stage discourse of prognosis in medicine. *Journal of Business and Technical Communication*, 18(1), 67-111.
- Baynham, M. (1996). Direct speech: What's it doing in non-narrative discourse?. *Journal of Pragmatics*, 25(1), 61-81.

- Berg, A. (1994). Breaking the silence; Sexual preference in the composition classroom. In L. Garber (Ed.), *Tilting the tower: Lesbians teaching queer subjects*, 108-116. New York: Routledge.
- Berkenkotter, C. (2001). Genre systems at work; DSM-IV and rhetorical recontextualization in psychotherapy paperwork. *Written Communication*, 18(3), 326-349.
- Berkenkotter, C., Huckin, T. N., & Ackerman, J. (1988). Conventions, conversations, and the writer: Case study of a student in a rhetoric Ph. D. program. *Research in the Teaching of English*, 9-44.
- Berkenkotter, C., & Ravotas, D. (2002). Psychotherapists as authors: Microlevel analysis of therapists' written reports. In J. Z. Sadler (Ed.), *Descriptions and prescriptions: values, mental disorders, and the DSMs*, 251-268. Baltimore: John Hopkins University Press.
- Berkenkotter, C., & Ravotas, D. (1998). Voices in the text: Varieties of reported speech in psychotherapists' initial assessments. *Text: An Interdisciplinary Journal for the Study of Discourse*, 18(2), 211-239.
- Besnier, N. (1993). Reported speech and affect on Nukulaelae Atoll. In J. Hill & J. Irvine (Eds.) *Responsibility and evidence in oral discourse*, 161-181. London: Cambridge University Press.
- Blakeslee, A. M. (1997). Activity, context, interaction, and authority; Learning to write scientific papers in situ. *Journal of Business and Technical Communication*, 11(2), 125-169.
- Brief for American Association of University Professors, as Amici Curiae Supporting Plaintiffs-Appellants, *National Pride at Work v. Governor of State*, 2007
- Brief for Michigan Professors of Law, as Amici Curiae Supporting Plaintiffs-Appellants, *National Pride at Work v. Governor of State*, 2007
- Brockman, R. J. (2002). *Exploding steamboats, senate debates, and technical reports: The convergence of technology, politics, and rhetoric in the steamboat bill of 1838*. New York: Baywood Publishing Company.
- Buchanan, L. (2005). *Regendering delivery: The fifth canon and antebellum women rhetors*. Carbondale: Southern Illinois University Press.
- Burnett, R. E. (1991). Substantive conflict in a cooperative Context: A way to improve the collaborative planning of workplace documents. *Technical Communication*, 38(4), 532-39.
- Burnett, R. E. (1993a). Conflict in collaborative decision-making. In Blyler, N. R., & Thralls, C. (Eds.). *Professional communication: The social perspective*, 144-162. (1993). Newbury Park: Sage.

- Burnett, R. E. (1993b). Decision-making during the collaborative planning of coauthors. In A. Penrose and B. Sitko (Eds.), *Hearing ourselves think: Cognitive research in the college writing classroom*, 125-146. Oxford: Oxford University Press.
- Butler, J. (1997). *The psychic life of power: Theories in subjection*. Palo Alto: Stanford University Press.
- Buttny, R. (1997). Reported speech in talking race on campus. *Human Communication Research*, 23(4), 477-506.
- Buttny, R. (1998). Putting prior talk into context: Reported speech and the reporting context. *Research on Language and Social Interaction*, 31(1), 45-58.
- Clark, H. H., & Gerrig, R. J. (1990). Quotations as demonstrations. *Language*, 66 (4), 764-805.
- Cook, K. C. (2000). Writers and their maps: The construction of the GAO report on sexual harassment. *Technical Communication Quarterly*, 9(1), 53-76.
- Cooper, J. (2004). Queering the contact zone. *Journal of Advanced Composition*, 24(1), 23-46.
- Cross, G. A. (1994). *Collaboration and conflict: A contextual exploration of group writing and positive emphasis*. Cresskill: Hampton Press.
- DeWitt, S. L. (1997). Out there on the web: Pedagogy and identity in the face of opposition. *Computers and Composition*, 14(2), 229-244.
- Ede, L. S., & Lunsford, A. A. (1990). *Singular texts/plural authors: Perspectives on collaborative writing*. Carbondale: SIU Press.
- Ede, L., & Lunsford, A. (1983). Why write... together?. *Rhetoric Review*, 1(2), 150-157.
- Elliot, Mary. (1996). Coming out in the classroom: A return to the hard place. *College English*, 58, 693-708.
- Flower, L. S., Hayes, J. R., & Swarts, H. (1980) Revising functional documents: the scenario principle. *Technical Report No. 10*. Washington: American Institutes for Research.
- Flower, L. (1996). Collaborative planning and community literacy: A window to the logic of learners. In L. Schauble and R. Glaser (Eds.), *Innovations in Learning New Environments for Education*, 25-48. Michigan: L. Erlbaum Associates.
- Flower, L., & Hayes, J. R. (1981). The pregnant pause: An inquiry into the nature of planning. *Research in the Teaching of English*, 15 (3), 229-243.
- Flower, L., & Hayes, J. R. (1981). A cognitive process theory of writing. *College Composition and Communication*, 32(4), 365-387.
- Flower, L., & Hayes, J. R. (1984). Images, plans, and prose; The representation of meaning in writing. *Written Communication*, 1(1), 120-160.

- Fraser, N., & Honneth, A. (2003). *Redistribution or recognition?: a political-philosophical exchange*. New York: Verso books.
- Fraser, N. (2007). Feminist politics in the age of recognition: A two-dimensional approach to gender justice. *Studies in Social Justice*, 1(1), 23-44.
- Goffman, E. (1974). The frame analysis of talk. *Frame analysis: An essay on the organization of experience*, 496-559. Michigan: Harper and Row.
- Günthner, S. (1999). Polyphony and the 'layering of voices' in reported dialogues: An analysis of the use of prosodic devices in everyday reported speech. *Journal of Pragmatics*, 31(5), 685-708.
- Haas, C. (1994). Learning to read biology; One student's rhetorical development in college. *Written Communication*, 11(1), 43-84.
- Hartman, K., Neuwirth, C. M., Kiesler, S., Sproull, L., Cochran, C., Palmquist, M., & Zubrow, D. (1991). Patterns of Social Interaction and Learning to Write Some Effects of Network Technologies. *Written Communication*, 8(1), 79-113.
- Herndl, C. G., Fennell, B. A., & Miller, C. R. (1991). Understanding failures in organizational discourse: The accident at Three Mile Island and the shuttle Challenger disaster. *Textual dynamics of the professions*, volume (issue), 279-305.
- Heyes, C. (2003). Can there be a queer politics of recognition? In R. Fiore & H. Nelson (Eds.), *Recognition, Responsibility, and Rights: Feminist Ethics and Social Theory*, 53-66. Maryland: Rowman & Littlefield.
- Holt, E. (1996). Reporting on talk: The use of direct reported speech in conversation. *Research on language and social interaction*, 29(3), 219-245.
- Holt, E. (2000). Reporting and reacting: Concurrent responses to reported speech. *Research on Language and Social Interaction*, 33(4), 425-454.
- Joseph, M. (2002). *Against the romance of community*. Minneapolis: University of Minnesota Press.
- Kaplan C. & Rose E. (1993) Strange bedfellows: Feminist collaboration. *Signs*, 18(3), 547-561.
- Khayatt, D. (1998). Paradoxes of the closet: Beyond the classroom assignment of in or out. In J. Ristick and C.T. Taylor (Eds.), *Insider the academy and out: Lesbian/gay/queer studies and social action*, 31-48. Toronto: University of Toronto Press.
- Killingsworth, M. J., & Palmer, J. S. (1992). The environmental impact statement and the rhetoric of democracy. *Environmental Discourse and Practice*. Malden: Blackwell Publisher.

- Killingsworth, M. J., & Palmer, J. S. (2012). *Ecospeak: Rhetoric and environmental politics in America*. Carbondale: Southern Illinois University Press.
- Kopelson, K. (2002). Dis/integrating the gay/queer binary: Reconstructed identity politics for a performative pedagogy. *College English*, 65(1), 17-35.
- Leander, K., & Prior, P. (2004). Speaking and writing: How talk and text interact in situated practices. In C. Bazerman and P. Prior. (Eds.) *What writing does and how it does it: An introduction to analyzing texts and textual practices*, 201-37. London: Routledge.
- Lingard, L., Schryer, C., Garwood, K., & Spafford, M. (2003). 'Talking the talk': school and workplace genre tension in clerkship case presentations. *Medical Education*, 37(7), 612-620.
- Linell, P. (1998). Discourse across boundaries: On recontextualizations and the blending of voices in professional discourse. *TEXT*, 18, 143-158.
- Lunsford, A. A., & Ede, L. (1990). Rhetoric in a new key: Women and collaboration. *Rhetoric Review*, 8(2), 234-241.
- Lyne, J., & Howe, H. F. (1990). The rhetoric of expertise: EO Wilson and sociobiology. *Quarterly Journal of Speech*, 76(2), 134-151.
- Malinowitz, H. (1995). *Textual orientations; Lesbian and gay students and the making of discourse communities*. Portsmouth, Heinemann.
- Mattingly, C. (2002). *Appropriating Dress*. Carbondale: SIU Press.
- Mattingly, C. (2002). Telling evidence: Rethinking what counts in rhetoric. *Rhetoric Society Quarterly*, 32(1), 99-108.
- McRuer, R. (2004). Composing bodies; or, de-composing: Queer theory, disabilities studies, and alternative corporealities. *Journal of Advanced Composition*, 24(1), 47-78.
- Miller, R.E. (1994). Fault lines in the contact zone. *College English*, 56(4), 389-408.
- Miller, H., & Bridwell-Bowles, L. (2005). Introduction. In H. Miller & L. Bridwell-Bowles (Eds.), *Rhetorical women: Roles and Representations*, 1-16. Tuscaloosa: University Alabama Press.
- Monson, C. & Rhodes, J. (2004). Risking queer: Pedagogy, performativity, and desire in writing classrooms. *Journal of Advanced Composition* 24(1), 79-92.
- Mountford, R. (2003). *The gendered pulpit; Preaching in American protestant spaces*. Carbondale: Southern Illinois University Press.
- Myers, G. (1999). Functions of reported speech in group discussions. *Applied Linguistics*, 20(3), 376-401.

- National Pride at Work v Governor of State (2008) 481 Mich. 56, 748 N.W.2d 524. May 7, 2008.
- National Pride at Work v. Granholm (2005) 481 Mich. 56, 748 N.W.2d 524. December 7, 2005.
- North, S. M. (1987). *The making of knowledge in composition: Portrait of an emerging field*. Upper Montclair, NJ: Boynton/Cook Publishers.
- Orbell, B. (1995). The DoD tailhook report: Unanswered questions. *Journal of technical writing and communication*, 25(2), 201-213.
- Plowman, L. (1994). The interfunctionality of talk and text. *Computer Supported Cooperative Work*, 3(3-4), 229-246.
- Prior, P. (1995). Tracing authoritative and internally persuasive discourses: A case study of response, revision, and disciplinary enculturation. *Research in the Teaching of English*, 288-325.
- Ravotas, D., & Berkenkotter, C. (1998). Voices in the text: The uses of reported speech in a psychotherapist's notes and initial assessments. *TEXT*, 18, 211-240.
- Regan, A. (1993). Type normal like the rest of us; Writing, power, and homophobia in the networked composition classroom. *Computers and Composition*, 9(4), 11-23.
- Relating to certain health care rights of domestic partners, Tex HB 353, S. 81(R)
- Relating to the authority of certain university systems to provide benefits to certain qualified individuals, Tex HB 1149, S. 83(R)
- Relating to the recognition of a same-sex marriage or civil union, Tex SB 7, S. 78(R)
- Ritchie, J. S., & Ronald, K. (2001). *Available means: An anthology of women's rhetoric(s)*. Pittsburgh: University of Pittsburgh Press.
- Rude, C. D. (1997). Environmental policy making and the report genre. *Technical Communication Quarterly*, 6(1), 77-90.
- Rude, C. D. (2004). Toward an expanded concept of rhetorical delivery: The uses of reports in public policy debates. *Technical Communication Quarterly*, 13(3), 271-288.
- Schryer, C. F. (1993). Records as genre. *Written Communication*, 10(2), 200-234.
- Schryer, C. F., Lingard, L., Spafford, M., & Garwood, K. (2003). Structure and agency in medical case presentations. In C. Bazerman and D. Russell (Eds.), *Writing selves/writing societies: Research from activity perspectives*, 62-96. Fort Collins, CO: The WAC Clearinghouse and Mind, Culture, and Activity.
- Schryer, C. F., & Spoel, P. (2005). Genre theory, health-care discourse, and professional identity formation. *Journal of Business and Technical Communication*, 19(3), 249-278.

- Semino, E., Short, M., & Culpeper, J. (1997). Using a corpus to test a model of speech and thought presentation. *Poetics*, 25(1), 17-43.
- Semino, E., Short, M., & Wynne, M. (1999). Hypothetical words and thoughts in contemporary British narratives. *Narrative*, 7(3), 307-334.
- Sheridan-Rabideau, M. P. (2008). *Girls, Feminism, and Grassroots Literacies: Activism in the GirlZone*. New York: SUNY Press.
- Simmons, M. W. (2008). *Participation and power: Civic discourse in environmental policy decisions*. New York: SUNY Press.
- Spinuzzi, C. (2003). *Tracing genres through organizations: A sociocultural approach to information design*. Boston: The MIT Press.
- Sullivan, P. A. (1992). Feminism and methodology in composition studies. In G. Kirsch & P.A. Sullivan, (Eds.), *Methods and methodology in composition research*, 37-61. Carbondale: Southern Illinois University Press.
- Sutcliffe, R. J. (1998). Feminizing the professional: The government reports of Flora Annie Steel. *Technical Communication Quarterly*, 7(2), 153-173.
- Syverson, M. A. (1999). *The wealth of reality: An ecology of composition*. Carbondale: Southern Illinois University Press.
- Talbut, S. (2000). On not coming out: Or, imagining limits. In W. J. Spurlin (Ed.), *Lesbian and gay studies and the teaching of English*. 54-78. Urbana: National Council of Teachers of English.
- Tannen, D. (1989). *Talking voices: Repetition, dialogue, and imagery in conversational discourse*. London: Cambridge University Press.
- Tanner versus Oregon (1996) 971 P.2d 435
- Taylor, C. (1997). The politics of recognition. In Heble, A., Pennee, D.P., & Struthers, J.R. (Eds.), *New contexts of Canadian criticism*, 98-131. Ontario: Broadview Press.
- Tex Const. Amend., I § 32.
- Texas Gen Laws. ch. 1601, § 107, Uniform Insurance Benefits Act for Employees of the University of Texas System and the Texas A&M University System. 2003.
- Texas Gen Laws, ch. 3, § 401.5, Marital Property Rights and Liabilities, Sept. 1, 2001.
- Volosinov, V. N. (1973). *Marxism and the Philosophy of Language*. New York: Seminar Press.
- Wallace, D. L. (2006). Transforming normativity: Difference issues in *College English*. *College English*, 68(5), 502-530.



- Walsh, L. (2009). Marking territory legislated genres, stakeholder beliefs, and the possibilities for common ground in the Mexican wolf Blue Range reintroduction project. *Written Communication*, 26(2), 115-153.
- Winsor, D. A. (1990). The construction of knowledge in organizations: Asking the right questions about the Challenger. *Journal of Business and Technical Communication*, 4(2), 7-20.
- Winsor, D. A. (1996). *Writing like an engineer: A rhetorical education*. London: Routledge.
- Winsor, D. A. (1999). Genre and activity systems; The role of documentation in maintaining and changing engineering activity systems. *Written Communication*, 16(2), 200-224.
- Witte, S. P. (1987). Pre-text and composing. *College Composition and Communication*, 38(4), 397-425.
- Wolfe, J. (2000). Gender, ethnicity, and classroom discourse; Communication patterns of hispanic and white students in networked classrooms. *Written Communication*, 17(4), 491-519.
- Wolfe, J. (2005). Gesture and collaborative planning; A case study of a student writing group. *Written Communication*, 22(3), 298-332.
- Wolfe, J. (2009). *Team writing: A guide to working in groups*. New York: Bedford/St. Martin's.